



AESD Member Handbook

Welcome

Congratulations on your new role as an Educational Service District (ESD) board member. Serving on an ESD board provides an opportunity to learn more about the exciting role played by ESDs in support of their local school districts, and to explore how ESDs fill a critical role within the larger system of education in Washington State. While most of your time and energy will be devoted to understanding your local ESD and the region you serve, we also encourage you to learn about the Association of Educational Service Districts (AESD) and how the AESD fills three important functions:

1. ESD board member support services
2. Coordination of shared services across the network of ESDs
3. Partnership with OSPI and other educational support organizations

Purpose:

We have developed this handbook to support your orientation as a new ESD board member. Your local superintendent and their leadership team will work with you to develop a personalized plan that is intended to help you learn about your ESD and how you work in partnership with the superintendent to ensure quality service and support to your region.

Nothing can replace quality time spent with your fellow board members and local ESD leadership, but we hope this handbook will help you learn a bit more about the following topics:

- General responsibilities of ESD board members
- Board Roles
- Basics of superintendent evaluation
- Representing districts
- Communication
- Open Public Meeting Act, executive sessions and public records
- History of ESDs
- Introduction to AESD

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General Responsibilities

Governing an ESD is an exciting and rewarding responsibility. As an ESD board member you have the chance to set the direction of your ESD and to determine the goals, or results that will be the focus of current and future ESD activities. In general, the board's work centers in three major areas: 1) Policy approval, which clearly codifies the expectations for administrative procedures, 2) Fiscal accountability, including developing budget parameters, development timelines and adoption of the budget, and 3) Evaluation of the superintendent.

Typically, the board, superintendent and senior staff work in partnership to build a strategic vision for the ESD. The board works with their administrative team to determine the goals (ends) of the ESD, which helps to focus the organization's long-term outcomes. The role of administration is to select strategies, or pathways (means) to achieve the board's adopted goals. The easily expressed, but difficult to fully understand summary of these roles is 'boards make policy and administration carries it out.'

This dynamic interplay between the board's role (goals) and administration's role (strategies) is the heart of the creative tension within organizational governance. The following questions may help clarify the roles of the board as compared to the roles of administration.

1. *Is the topic a big deal?* The bigger the impact of the decision, the more the board should have a central role in the discussion and decision-making. Deciding to expand services into a specific area is likely a board decision. How to build new services and planning how to expand offerings is the role of administration.
2. *Is the area of exploration future-focused?* The board should be continually exploring what the organization will look like in 3-5 years. The board's finger-prints should be on the long-term plans of the organization. Administration should develop strategies and partner with the board to ensure they are informed about the means of moving toward the vision of the board.
3. *Is this issue central to the mission of the ESD?* The board serves as the guardian of the ESD's mission. The mission of the ESD and financial realities may occasionally come in conflict. The role of administration is to bring recommendations and thoughtful analysis to the board. The Board examines fiscal realities in light of the long-term mission of the ESD.
4. *Is policy needed to resolve the question at hand?* The board establishes policy, which clarifies principles, guidelines and general practices. Management establishes procedures and practices to consistently implement the board's policy framework.
5. *Is somebody else watching?* The board should ensure the ESD has thoughtfully considered how to comply with expectations of various accountability groups (Legislature, IRS, DoH, Attorney General, etc.).
6. *Does the superintendent want and need your help?* If the superintendent requests advice or support, the board should respond. When the superintendent is headed into

difficult territory, they should ensure the board is informed, and if they need consistent support, the board should determine their plans for moving forward and stand firm.

Be sure to spend time becoming familiar with the board's adopted policies. Especially those policies that speak to the board and superintendent roles. As part of your orientation, explore the strategic plan of the ESD with administration and talk with other board members about the history of the plan, the long-range focus of the ESD's goals, and what role the board plays in reflection and review of outcomes.

Board Roles

Board Chair- The board chair presides over all meetings of the board and fills all duties and described by board policy. The orderly conduct of meetings is primarily the responsibility of the chair, with feedback from other board members regarding the balance of various voices and audiences during meetings. The board chair appoints other board members to serve on committees or fill other board roles as necessary. The superintendent and board chair work together to plan board meeting agendas. The board chair and superintendent reflect on the quality and effectiveness of communication between board and administration and adjust the frequency and content as needed.

Legislative Liaison- The legislative liaison shares regular updates with their fellow board members regarding federal and state education-related legislation. As appropriate, the legislative liaison will encourage board colleagues to contact legislators on important issues related to the needs of the ESD.

AESD Representative- The AESD representative serves as the voice of their local ESD board on the AESD Executive Board and keeps their local board informed of topics under consideration by the AESD. The AESD representative gathers feedback from their board regarding policies or topics under consideration by the AESD Executive Board and votes on issues as directed by their fellow board members.

Evaluating the Superintendent

One of the primary responsibilities of the board is to evaluate their superintendent. Each ESD has adopted policies regarding the timeline and criteria for superintendent evaluations. A quality evaluation is fair, legally defensible, and supportive of the continuous growth and development of the superintendent. Take time to meet with the superintendent to talk about the evaluation process and timelines. Explore with them and the board chair how your perspective is included in the evaluation process and what role you play in determining feedback provided to the superintendent.

Typically, the superintendent keeps the board informed of the timeline, relevant policies and contractual expectations of the evaluation process. During the annual review cycle the superintendent may provide the board with a written reflection of their goals for the year, their role in supporting the board and ESD missions and any evidence that may help the board

determine areas of commendation or growth. Board members often provide formal or informal feedback to the chair, who will prepare a draft evaluation for board consideration. The performance review is generally held in an executive session and may be followed by board action in a public meeting.

Representing Districts

Unlike local school board members, you are not elected by the public. ESD boards are elected by school board members within their region. While you must reside in a particular director district to be eligible to serve your ESD, you represent the values, views, and desires for ESD service for the ESD as a whole.

Remaining connected and aware of the constituents you represent can be a significant challenge. You may wish to attend local school board meetings to hear what challenges they are exploring. Regional meetings of the Washington School Directors' Association (WSSDA) are also great opportunities to interact with and learn about local school board issues. Attending regional superintendent meetings can help you connect with district priorities.

Finally, encouraging the attendance of district leaders and school board members at your board meetings can help you prioritize their needs. Explore with your ESD leaders how you can connect with school boards and educational leaders across your region and what role is expected of you in the framing of your ESD focus and potential new, or expanded services.

Communication

Effective and ongoing communication is a critical element in establishing trust, establishing common vision, and building a strong sense of shared responsibility. Research conducted by National School Public Relations Association (NSPRA) leaders as well as other education researchers clearly demonstrates how accountability, transparency, and involvement are fostered by strong communication between members of an educational community. As a new board member you should share your preferred means of communication and regularly connect with your board chair and superintendent your feedback regarding your communication needs.

As part of your role as an ESD board member you should consider developing strategies for establishing and maintaining meaningful, direct, and two-way communication with your constituents. As a board you may wish to share strategies that have helped members remain connected with their region's educational leaders and practices that help share the message of the board with various audiences.

Good communication doesn't just happen. It takes thought, planning, and skill to implement strategies and processes that inform and engage your constituents. Discuss with your board and administration the role of a strategic communications plan in helping to share your stories and understand the needs of your communities. The ESD's communication plan is intended to

dramatically increase the efficiency and effectiveness of your ESD's communication efforts. As a board member it is helpful to know how ESD programs, publications, and activities support the board's goals.

Technical Requirements

As a newly elected ESD board member you are responsible to maintain a high level of professional behaviors that are regulated by state law and professional practices. This professional behavior falls within four broad categories. They include: Open Public Meetings, Executive Sessions during meetings, Public Records Requests, and Conflicts of Interest. By keeping these areas in mind, your ESD board will assure transparency and keep the process open and accountable.

Open Public Meetings

Overview

The Washington Open Public Meetings Act (OPMA), can be found in chapter 42.30 RCW. The OPMA requires that all meetings of ESDs (as a governing body) be open to the public. The Open Public Meetings Act was passed to assure that governmental affairs are accessible and responsive to the public. The OPMA and the Public Records Act (see below) are two tools that allow the citizens of Washington State to be informed on the workings of government. ESD boards fall under the requirements of OPMA.

Knowing and understanding the requirements of OPMA is an important part of your role as an ESD board member. Within RCW 42.30 you will find specific provisions regarding regular and special meetings, executive sessions, the types of notice that must be given for meetings, the conduct of meetings, and penalties and remedies for violations.

ESD board members do not need to be in physical presence to come under the requirements of OPMA. An email exchange or video conference such as Zoom meeting among a quorum of the ESD board in which "action" takes place is a meeting under the OPMA. This is a potential area for an OPMA violation and ESD boards are advised to keep this in mind.

The OPMA does allow a quorum ESD board members to be present at another organization's meeting, or to gather together as long as the ESD board doesn't take action. It also allows a quorum of ESD board members to travel to a function or meet in a social environment, again as long as no action is taken.

Finally, RCW 42.30 205 requires that new ESD board members must receive training on the OMPA within 90 days of being sworn in. It also requires that board members receive updated training at intervals of no more than four years.

What Is a "Meeting"?

A "meeting" under the OPMA occurs when a quorum of the ESD gathers with the collective intent of transacting the governing ESD's business. A meeting under the OPMA is either a "regular" meeting or a "special" meeting. A meeting designated as a "retreat," "study session," or "workshop" is, for OPMA purposes, either a regular or a special meeting, depending on how it is held.

In order for any board actions to be valid, they must be approved at meetings conducted in compliance with the OPMA. Under the OPMA, public agencies must give notice of regular and special meetings. Reminder: As mentioned earlier, meetings do not have to be in person to be subject to the OPMA. Meetings can occur by telephone, email, or other electronic media.

Penalties for Noncompliance

Any action taken at a meeting held in violation of the OPMA is **null and void**. Any member of a governing body who attends a meeting knowing that it violates the OPMA is subject to a potential **personal liability** of \$500 for the first violation and \$1,000 for a subsequent one. Any person who prevails against the ESD in any action through court proceedings for a violation of the OPMA will be awarded all costs, including **attorney fees**.

As a new ESD board member **you are required to complete OPMA training** within 90 days of taking the oath of office or assuming board member duties. A refresher on OPMA is also required every four years.

Executive Sessions

Although not defined in the Open Public Meetings Act (OPMA), an **Executive Session** is understood to mean the part of a regular or special meeting of an ESD board that is closed to the public.

The ESD board is allowed to go into executive sessions *only* for the reasons listed in RCW 42.30.110. Some of the most common reasons for doing so are to discuss:

- the purchase or sale of land
- claims (or potential claims) against the ESD for property or other damage
- the qualifications of a potential appointee to fill an elected or appointed position
- complaints or charges against a public official or employee
- Evaluating the performance of a public official or employee

No action can be taken during an executive session. Because the ESD board cannot make a collective decision in an executive session, board members may choose to discuss their concerns individually and allow the executive and staff to use that discussion as guidance. Final action must be taken at an open session.

Attendance at an executive session can include more than the board members and/or superintendent. Anyone other than the board may attend the executive session at the invitation of the board, typically through the board chair. Everyone invited to join the executive session should have some connection to the issue being addressed in the executive session, or they should be in attendance to provide assistance to the ESD board.

If the stated purpose for the executive session is to discuss litigation or potential litigation with the ESD's attorney, the presence of individuals at the session who are not board members or agency staff may cause the ESD to waive the attorney-client confidentiality privilege.

Overview of Executive Session Procedures

1. **Board Chair announces the purpose of the executive session.** Cite the purpose to the specific subsection of RCW 42.30.110 and briefly describe the reason. It is not necessary to identify specific individuals or case names or numbers (for litigation).
2. **Board Chair announces the time they will return to open session.** Because the statute specifically says, "announce the time" and not "announce the duration," instead of saying "we'll be in executive session for 30 minutes" say "we'll be in executive session until 7:00 pm."
3. **Extending the executive session.** If the executive session runs long, the board chair must come back to the location of the regular meeting and announce the new time the open session will reconvene.
4. **Do not return to open session before the announced time.** Some members of the public may have stepped out and not returned until the announced time. Even if you are not taking any action after the executive session, you still need to reconvene in open session to adjourn the meeting at the stated time.
5. **If discussing litigation or potential litigation,** make sure your attorney is present.
6. **Remind participants that discussions are confidential.** Disclosure of confidential information from an executive session by a board member violates RCW 42.23.070(4). The statute prohibits both the disclosure of confidential information and its use for personal gain or benefit.

Public Records

The Public Records Act (PRA) requires that all public records maintained by state and local agencies be made available to all members of the public, with very narrow statutory exemptions.

Chapter 42.56 RCW provides the statutory framework for disclosure of public records and the Washington State Attorney General's "Model Rules on Public Disclosure" (chapter 44-14 WAC) provide practical, non-binding, advisory guidance on many issues that may not be clear in the language of the PRA itself.

ESDs are required by chapter 40.14 RCW to retain records for different lengths of time depending on the content, function and purpose of the record. The records retention schedules, approved by the state and local records committees and published by the Office of the Secretary of State – Washington State Archives, establish the time frames for records retention, archiving and destruction. Individual agencies do have the option of requesting the state or local records committee approve an agency-specific records retention schedule.

What Records Are Public?

The Public Records Act (PRA) along with the Open Public Meetings exist to assure the citizens of the State have access to the workings of government. A public record is defined in RCW 42.56.010(3) as any writing that is prepared, owned, used, or retained by any state or local government agency, and which contains information that relates to the conduct of government, or the performance of any governmental or proprietary function. The term “writing” is broadly defined in the PRA, public records are defined as any recording of any communication, image or sound. It includes not only conventional documents, but also videos, photos, and electronic records including emails and computer data. Records under PRA may also include voicemails, webpages and social media content, emails, text messages and tweets.

A party seeking public records under the PRA must, "at a minimum, provide notice that the request is made pursuant to the PRA and identify the documents with reasonable clarity to allow the agency to locate them. The PRA specifically allows persons to make requests by mail, which includes email under current technology and practices. Oral requests are not prohibited by the PRA, but they can be problematic.

A written request is advisable for several reasons. It confirms the date on which the record is requested. It also clarifies what is being requested. Identification of the requesting party, with address and telephone number, will also facilitate a request for clarification by the agency of any ambiguous request or allow the agency to determine if a person has the right to a record that would normally be exempt.

Within five days of receipt of a PRA request the agency must respond by either providing the records; or providing a website address to review the records; or acknowledge the request and provide a reasonable time estimate to gather the documents; or deny the request. There can be no fee charged for the requester to inspect the documents at the agency or for collecting the records. However, if copies of the records are requested a fee may be assessed for the copies.

Conflict of Interest

Several years ago, the Legislature amended the conflict of interest statute for local elected officials, primarily in the area of financial thresholds, but also in the area of scope of enforcement. This is an important area of the law for board members and superintendents, so a current and thorough knowledge of the law is important. As a newly elected ESD board member, be sure to discuss applicable policies and procedures related to conflicts of interest with your superintendent and board chair.

RCW 42.23 broadly deals with conflict of interest in the Code of Ethics for Municipal Officers. While it deals primarily with contracts that may be potential conflicts, it could apply to other areas for an ESD Board Member. RCW 42.23.070 (Prohibited Acts) is a suggested list for Board Members to review.

Under state law, board members and superintendents are subject to restrictions because they are municipal officers:

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. (RCW 42.23.030).

If a board member has a permissible interest in a contract under one of the twelve exceptions, they may not vote on the authorization, approval or ratification of the contract. The board member's interest in the contract must be disclosed to the board and noted in the minutes of the board before the contract is finalized.

Overview of ESDs

In 1969, Educational Service Districts (ESDs) were formed when individual County Superintendent of School offices were consolidated and reorganized to reduce duplication, equalize educational opportunities, and provide a more effective reporting and accountability system to the state legislature. See the ESD History Timeline in the appendices for a snapshot.

ESDs link local public and private schools with one another and with state and national resources. ESD Cooperatives and programs enhance educational opportunities because they realize significant savings, allowing districts to send more dollars directly to the classroom and provide special services that might otherwise be unavailable to their regions.

State law requires ESDs to provide support for the State Superintendent of Public Instruction. Currently those services include processing school district budgets and providing fiscal oversight for districts in financial distress, processing teacher certification applications, offering fingerprinting services for school personnel, processing citizen complaints related to the professional code of conduct, resolving school district boundary disputes and assisting with communications to school districts. We work to help support these educational organizations through working with their staff and/or legislative representatives.

As ESDs move beyond their fifth decade of service, the scope and nature of our shared service responsibilities reflect the changes facing our public schools. In a time of increased public accountability, of both student performance and management of public resources, ESDs in Washington are “the” model of efficiency and collective impact. The nine ESDs leveraged \$7.9 million of state allocated core funding into \$420 million of needed services for students and schools in Washington. Stated another way, for every \$1 in core funding, ESDs returned \$53 in educational programs and services – \$389 for every student in the state.

As our state's citizens demand higher standards and ever-increasing demands on educational programs, the ESDs of Washington state will continue to provide critical services such as teacher and staff training, networking and technology integration, and direct services for students with special needs and early childhood education. We will continue to create new opportunities,

leverage more resources, and facilitate broad support for the benefit of all students and their families in Washington State.

Introduction to AESD

The statute (RCW 28A.310) that created Education Districts also authorized the establishment of the Association of Educational Service Districts, a support organization for elected ESD board members and their staff. The role and function of AESD can be very confusing at times as AESD is referenced in at least three interconnected contexts:

1. AESD the Board member support organization- Governed by an Executive Board
2. Washington AESD (Often called 'The Network' or 'The Network of Nine')the coordinated system of statewide services- "Governed" by the ESD superintendents and managed by an Executive Director, and
3. Washington AESD+ (Often called 'The Network of Ten'), which includes the strong partnership of ESDs with OSPI.

In essence there are three AESDs, often called the same name, but each serving significantly different roles and audiences. As stated in the AESD constitution (See Appendices) the purpose of the Association of Educational Service Districts "shall be to provide communication and coordination among ESD Boards for educational advocacy; for fostering leadership and partnerships; and for collaboration within the educational community." Board member support materials and additional resources can be found at the [AESD website](#).

AESD Governance

The purpose of the AESD is codified in a constitution that is adopted by its membership (See appendices). The board member support system of AESD is governed by an Executive Board composed of one board member from each ESD. ESD superintendents serve as non-voting and advisory members of the Board. The AESD Executive Board currently schedules five meetings each year, including an annual conference in April.

The voting members of the AESD are the 69 board members from all nine ESDs. However, the nine superintendents play an essential role in all AESD activities. They attend all AESD Board meetings, serve as advisors on all issues, and play a key role in developing the association budget. Also, the superintendents were responsible for creating an ESD Network that was the top priority of the AESD in the early 2000s. The resulting network, which is continually adapting to new approaches to collaboration, ensures the essential services available in an individual ESD are also available to all students in the state. The AESD Network continues to expand the role of ESDs in the State's framework of pre-K-12 education.

AESD Executive Board

The AESD executive board is composed of nine members, one from each ESD. The board is led by a president and a president elect (see appendices for roster of past AESD presidents). Executive board members serve to inform board member training and support services, recommend approval of the annual budget to membership, and in future will have a strong and active role in planning the AESD annual conference. During their regular meetings the AESD board receives periodic reports regarding AESD legislative initiatives, the status of statewide projects and programs, and provides input to superintendents and ESD staff regarding progress within the framework of the AESD strategic plan (See appendices).

Election of officers (President and President Elect), budget adoption and proposed changes to the AESD constitution are considered and acted upon during the AESD annual business meeting. This event, typically held during the annual conference, provides an opportunity for all ESD board members to better understand the role and purpose of the AESD.

AESD Network Staff

While the authorizing legislation does not allow AESD to employ staff, the network of all nine ESDs has partnered with OSPI to employ an executive director of the OSPI/AESD Network. Our executive director plays an important role in service to the AESD Network as they are at the center of nearly every shared statewide initiative. The expectations placed on the executive director have grown tremendously over the years. When first established the director supported communication and collaboration among the (then) newly formed regional coordinators for mathematics and science. With ever increasing expectations from our partners, the executive director now serves as the single point of contact for nearly all statewide activities. Due to the expanding role ESDs play in statewide service delivery, the function of the executive director has grown tremendously and it is anticipated that additional staff will be needed to support this continually growing dimension of ESD service.

AESD Network Programs and Services

A constantly expanding dimension of the AESD Network is coordination and service alignment within the network of the nine ESDs. Starting with a performance audit in 2008, the ESDs have consistently demonstrated the value of shared services and collaboration. In response to Initiative 900, the ESDs were one of the first organizations engaged in a movement for increased public accountability through performance audits managed by the State Auditor's Office. A direct result was an Interlocal agreement that defines how the ESDs work together, identify needs, work in partnership and respond to requests for services beyond individual ESD geographic boundaries (see Appendices).

Examples of AESD Network Programs and Services

WSIPC

The largest shared service of the nine educational service districts is the Washington School Information Processing Cooperative (WSIPC). The ESDs own and operate one of the most comprehensive data and information service systems in the nation. WSIPC manages payroll, student records and budget information for nearly all of the school districts and all the ESDs in the state. WSIPC operates as a cooperative with users paying for services rendered. The service is cost competitive when compared with private vendors and is managed by a board of directors, who are the superintendents from each ESD.

School Accreditation

Our program was created to accredit Washington State schools. The Northwest Educational Service District 189 (NWESD) is the lead agency for accreditations which occur on a six-year cycle. Washington State school accreditation was developed to ensure that the state's high schools were adequately preparing students for college. It was intended to document programs of high quality for colleges and the patrons of Washington's educational system. It is now open to all grade levels and is a voluntary, self-study process that is a research-based approach to school improvement.

To date, more than 200 schools throughout the state have been approved for AESD Accreditation upon confirmation by a panel of volunteer ESD Board members – middle schools, private schools, themed high schools, comprehensive high schools, and alternative high schools. Accreditation is granted for a period of six years, conditioned on a third-year review to check on continued progress towards the school's goals, celebrate successes, and recalibrate as needed.

Regional School Safety Centers

In 2019 the Legislature passed House Bill 1216 designed to increase school safety and support student well-being. As a result a statewide K-12 school safety network was developed, operated through a partnership between the Office of Superintendent of Public Instruction (OSPI) and the Association of Educational Service Districts (AESD).

The bill established regional school safety centers (RCW 28A.310.510) in each of the nine ESDs which provide essential student safety and well-being services including school-based threat assessment coordination, suicide prevention and training, behavioral health supports, and comprehensive school safety planning and emergency/crisis management.

The AESD Network also provides a single point of contact for OSPI leaders who are charged with implementing statewide initiatives. The 'Network of Ten' role of the AESD Network continues to expand in areas as diverse as educational technology, school nurses, regional math, science, and English language arts coordination, and school safety centers. Through expanded partnership with OSPI the AESD Network has become one of the primary providers of services required of OSPI by the Washington Legislature or Federal Government grants.

In addition, AESD Network engages in extensive lobbying activity provided through a contract with the Washington Association of School Administrators. The contract currently provides the

services of a part-time lobbyist. The AESD Network’s legislative liaison maintains strong contacts with the legislature, the Governor’s Office, and with the Office of the Superintendent of Public Instruction. The contract for this service is paid for by contributions from each ESD that are based on an agreed-upon formula.

AESD Annual Conference

As mentioned above the AESD hosts an annual conference intended to address the following goals:

- Nurture relationships within the community of AESD
- Support board members in their roles
- Promote expanded understanding of the depth and breadth of AESD Network services
- Conduct the annual business meeting

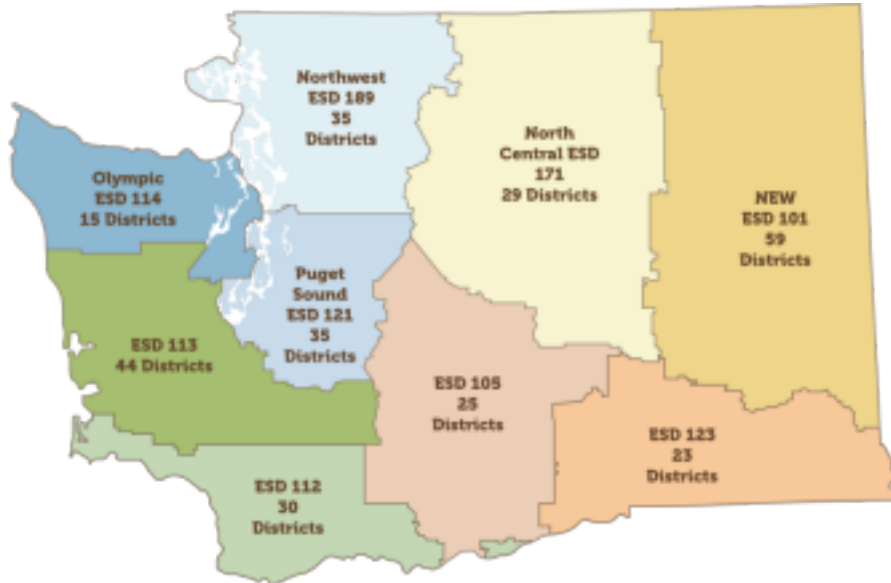
The conference has historically been hosted by individual ESDs on a rotating basis. The conference host, in partnership with the AESD Executive Board manages the logistics and agenda development of the conference.

Annual Spring Conference Hosting Boards and Regional Locations

2030 ESD 112
2029 ESD 123
2028 NWESD 189
2027 ESD 105
2026 Olympic ESD 114
2025 NEWESD 101
2024 North Central ESD
2023 Puget Sound ESD 121
2022 Capital Region ESD 113

Appendices

I. History of ESDs



Washington's nine ESDs have evolved from a system that began as 39 individual county offices of education.

A series of consolidations and name changes between 1969-1977 ultimately yielded a **statewide system of nine regional ESDs**.

Education Service Districts as they currently exist are the result of evolution for a period of over 85 years from 39 county educational agencies to the current nine ESDs. The following chronology includes most of the major changes that have occurred:

- 1890— Office of the County Superintendent was created by statute.
- 1909— County Boards of Education were created with duties created in statute.
- 1955— County board membership changed to elected lay membership.
- 1960— A legislatively mandated study recommended creation of 13 regional service agencies.
- 1966— Fifteen service areas were created by State Board of Education (Chapter 139, Laws of 1965).
- 1969— Under Chapter 176, the Laws of 1969, the State Board of Education created 14 Intermediate School Districts.
- 1971— Legislation rescinded ISDs' regulatory powers emphasizing service functions.
- 1972— ISD 102 and 103, ISD 106 and 107 were consolidated to create ISD 123 and 167 resulting in 12 Intermediate Districts.
- 1975— Intermediate School Districts were changed to Educational Service Districts and their purposes were re-defined.
- 1976— The State Board approved consolidation of ESD 110 and 111, as well as 108 and 109, creating ESD 121 (Puget Sound) and 189 (Northwest). This change resulted in the present nine ESDs.

1977— The legislature defined core services, directed ESDs to assist OSPI and State Board and provide equal educational opportunities. This session also provided for the election of ESD board members by board members of local districts.

1981— Legislation was passed to allow ESDs to provide direct services.

II. Constitution

Washington’s Association of Educational Service Districts

CONSTITUTION

(Revised/Updated April 2022)

Article I - NAME

This organization shall be known as the “Association of Educational Service Districts” and hereto referenced as “the Association” or “AESD.”

Article II - PURPOSE

The purpose of this Association shall be to further the equalization of educational opportunity for the children of the State of Washington through coordination and improvement of educational administration and services provided at a horizontal level between the local school districts and the state office by supporting the growth and development needs of board members of the nine Educational Service Districts (ESDs) as referenced in RCW 28A.310.210.

Article III - POWERS

The Association of Educational Service Districts shall have the power:

1. To prepare, adopt, amend and repeal a constitution, regulations, bylaws, and general policy statements for its own organization and its governance and guidance, provided action taken with respect thereto is consistent with the provisions of law;
2. To arrange for and call such meetings of the Association, or of the officers, Executive Board, and committees thereof, as are deemed essential to the performance of its duties;
3. To provide such services as may be directed or authorized by the Executive Board or upon a majority vote of the Association at an annual meeting;
4. To contract for necessary personnel as authorized by RCW 28A.310.210;

5. To provide for the payment of travel and subsistence expenses incurred by members, officers, and appointees of the Association while engaged in the performance of duties under the direction of the Association in accordance with the law;
6. To collect dues from a schedule adopted by the Association at a regular annual meeting.

Article IV – MEMBERS

Section 1: CLASSIFICATION OF MEMBERS:

1. **Regular Members:** Regular members shall be the members of the Educational Service District Boards of the State of Washington.
2. **Associate Members:** Associate members shall comprise the Educational Service District Superintendents, the State Superintendent of Public Instruction, or their designee, and a representative of any educational body approved by the Executive Board for this representation.
3. **Honorary Members:** Honorary members shall comprise the Past Presidents of the Association and any who have rendered distinguished service to the Association or to education and have been voted into Honorary Membership by the Association at an annual meeting.
4. **President Emeritus:** The President Emeritus shall serve for one year as a mentor/advisor to the President. The role of President Emeritus shall be filled by the most immediate, available AESD Executive Board Past President.

Section 2 - PRIVILEGES:

Associate and Honorary Members shall be entitled to all privileges of regular members except the right to vote and to hold elective office in the Association.

Article V - OFFICERS

Section 1 - TITLES:

There shall be two officers: a President and a President-Elect. Each of these officers must be from a separate Educational Service District board.

Section 2 - ELECTION:

The President and President-Elect shall be elected at the meeting scheduled during the Association’s annual meeting held in even-numbered years and shall take office immediately prior to adjournment of that meeting. They shall hold their offices for two years or until their successors are elected and have taken office. Their election shall be by written or electronic ballot. Those candidates receiving a majority of votes cast for the respective offices shall be declared elected. If no candidate receives a majority vote, the two candidates receiving the highest number of votes will be candidates for re-balloting. In the event there is only one candidate for an office, then a ballot may be dispensed with, and the unopposed candidate may be elected by a voice vote or by a show of hands.

Section 3 - DUTIES:

The duties of these officers shall be those usually performed by such officers, in addition to those duties imposed by the Constitution and by the Executive Board.

Article VI - EXECUTIVE BOARD

Section 1 - MEMBERSHIP:

The total voting membership of the Executive Board shall not be greater than the number of ESDs in the State.

The Executive Board shall consist of the President, the President-Elect, and one ESD board member elected from each ESD board not represented by an officer.

Section 2 - TERM OF OFFICE:

Executive Board members shall hold their positions until their successors are elected and have taken office. The terms of representatives from educational service districts shall be determined by each ESD.

Section 3 - DUTIES:

1. The Executive Board shall, between meetings scheduled during the Association’s annual meeting, be charged with implementing the purposes of the Association and exercising general supervision over its affairs. It shall be charged with the duty of carrying out policies and programs adopted at meetings of the Association.
2. The Executive Board shall meet at the call of the President or on its own motion, or upon the request of any three of its members.

3. The Executive Board shall have the responsibility to review and recommend the Association's annual budget for membership approval and to control expenditures therefrom.
4. The Executive Board may, upon the initiative of the President and with the consent of a majority of the members of the Executive Board, in an emergency, take any action without a meeting and formally approve those actions at the next regular meeting.
5. The Executive Board shall have the power to authorize official publications of the Association.
6. The Executive Board shall have the power to enter into contracts.
7. The Executive Board may approve payment of travel and subsistence expenses incurred by members, officers, and appointees of the Association while engaged in the performance of duties in accordance with the law.
8. The Executive Board shall advise the Leadership Council and Executive Director on Association legislative priorities and pending legislation.

Article VII - COMMITTEES

Section 1 - NOMINATING COMMITTEE:

1. The Nominating Committee shall consist of three members, including a chairman and a past president of the Association. This committee shall be appointed by the President to serve until the duties of the committee have been discharged at the Association's annual meeting.
2. The composition of the Nominating Committee shall be announced to the Association membership at least sixty days prior to the date of the annual meeting.
3. In even-numbered years, the Nominating Committee shall nominate one or more persons for President and one or more persons for President-Elect and file a written report with the Executive Director at least thirty days prior to the annual meeting. The Executive Director shall, not less than 15 days prior to the annual meeting, send the Association membership the written report of the Nominating Committee.
4. At the annual meeting, the chairman shall give the report of the Nominating Committee during the first general session. Nominations from the floor may be made following the reading of the report for any office.

5. In even-numbered years, the Nominating Committee shall be in charge of the entire proceedings of balloting for the positions of President and President-Elect, and its chairman shall, at the call of the President at the last regular business session of the annual meeting, announce the results of the balloting.

Section 2 - RESOLUTIONS COMMITTEE:

1. The Resolutions Committee shall consist of at least three members, including, as chairman, a member of the executive board. The committee shall be appointed by the President.
2. The composition of the committee shall be announced to the membership at least 180 days prior to the annual meeting.
3. Resolutions that come to the committee at least 90 days prior to the annual meeting will be considered by the committee and communicated to the membership at least 60 days prior to the annual meeting. Such resolutions will require only a simple majority of those present and voting at the annual meeting.
4. Resolutions received by the committee less than 90 days before the annual meeting shall be voted upon at the annual meeting only after at least four hours' notice to the voting members and require a majority of three-fourths of those present and voting to pass.
5. Resolutions may be presented to the committee by any two executive board members, by a majority vote of any ESD board, or over the signature of any six ESD board members.

Section 3 - ADDITIONAL COMMITTEES:

Additional committees may be created by the Executive Board. The President shall, subject to Executive Board approval, appoint members to these committees.

Article VIII - VACANCIES

Section 1 - POSITION VACANCIES:

A vacancy occurs in any office or position, elective or appointive, or in any committee, when the person holding the same shall cease to be a member of an educational service district board.

Section 2 - UNEXCUSED ABSENCE:

When a member of any committee or from the executive board is absent from two or more consecutive and properly called meetings, the matter shall be reviewed by the Executive Board prior to declaring that a vacancy exists.

A vacancy due to an unexcused absence can be declared only by the Executive Board.

Section 3 - REPLACEMENT:

1. In the event of a vacancy in the office of President, the President-Elect shall succeed to the office of President. In the event of a vacancy in the office of President-Elect, the Executive Board shall, with convenient speed, elect a qualified successor to serve out the unexpired term.
2. In the event of a vacancy in the position of an elected representative on the Executive Board, the ESD in which the vacancy occurs shall, with convenient speed, appoint a successor from among its members to serve the unexpired term.
3. In the event of a vacancy on any committee, the President shall, with convenient speed, appoint a successor to serve out the unexpired term.
4. All replacements shall be announced to the membership promptly.

Section 4 - ALTERNATES:

In the event an elected representative on the Executive Board or an officer is unable to attend a properly called meeting, an alternate voting member may be appointed from their ESD board to replace the regular member for that meeting only. Alternates serving for officers do not assume responsibility for that office.

Article IX - ASSOCIATION MEETINGS

Section 1 - ANNUAL MEETINGS:

The annual meeting of the Association shall be held in the spring. To the extent possible, annual meetings shall be hosted by each ESD on a rotational schedule to be determined by the Executive Board.

Section 2 - SPECIAL MEETINGS:

Special meetings of the Association may be called by the Executive Board or may be authorized by the membership at an annual meeting.

Section 3 - PROCEDURE:

At all meetings of the Association, questions of parliamentary procedure shall be decided in accordance with Robert’s Rules of Order (Newly Revised).

Section 4 - PARLIAMENTARIAN:

A parliamentarian may be appointed by the President to serve at each annual meeting of the Association.

Section 5 - VOTING:

Each regular member attending a meeting of the Association shall have one vote.

Section 6 - RECORD OF PROCEEDINGS:

A copy of the proceedings or a summary thereof of meetings of the Association shall be reproduced and distributed to the educational service district offices.

Article X - QUORUMS

Section 1 - ASSOCIATION MEETINGS:

At all meetings of the Association, twenty-five percent of the regular members, as shown by the records, shall constitute a quorum.

Section 2 - COMMITTEE MEETINGS:

At committee meetings and meetings of the Executive Board, a majority shall constitute a quorum.

Article XI- FINANCE

Section 1 - REVENUE:

1. A schedule of association dues shall be established by the Association at its annual meeting.
2. Registration fees may be charged to cover, in whole or in part, the necessary expenses of meetings of the Association.

3. The AESD Fiscal Agent shall collect all Association revenue and deposit them in a bank insured under the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Section 2 - BUDGET:

1. Within the total sum of anticipated revenues, an annual budget shall be prepared and expenditures controlled as provided under Article VI, Section 3, C.

2. A status of the budget report shall be made by the Executive Director and Chair of the Leadership Council to the Executive Board.

Section 3 - DISBURSEMENTS:

All disbursements of the Association funds shall be made by the Association’s Fiscal Agent.

Section 4 - FISCAL YEAR:

The fiscal year shall be from September 1 through August 31, and all dues and revenue contributions shall become payable in September of each year.

Article XII - ASSOCIATION OFFICE

The Association shall maintain its principal office (and such other offices as may be necessary) at such place or places as the Executive Board shall from time to time determine.

Article XIII - AMENDMENTS

This Constitution may be amended at any annual meeting of the Association by a two-thirds vote of the regular members present, provided due notice, in writing, of the proposed amendment is submitted to the Executive Board at least 60 days prior to the time of holding the regular annual meeting. No less than 30 days prior to the annual meeting, forward to the membership notice of all proposed changes to the Constitution.

III. AESD Past President Roster

2020 John Zurfluh	PSESD
2019 Carl Johnson	ESD 114
2018 Rainer Houser	ESD 112
2017 Rick Anthony	Capital Region 113
2016 Rick Anthony	Capital Region 113
2015 Gary Coe	NEWESD 101
2014 Gary Coe	NEWESD 101
2013 Karen Sorger	OESD 114
2012 Merle Kirkley	Northwest ESD 189
2011 Larry MacGuffie	North Central ESD 171
2010 Charlie Staadecker	Puget Sound ESD 121
2009 Brad Gingerich	ESD 123
2008 Bill Baumann	ESD 112
2007 Robert Bauer	ESD 101
2006 Howard Coble	ESD 113
2005 Maggie Perez	ESD 105
2004 Gordon Griggs	Northwest ESD 189
2003 Jean Wasson	Olympic ESD 114
2002 Ed Daling	North Central ESD 171
2001 Ann Campbell	ESD 112
2000 Brad Gingerich	ESD 123
1999 Ken Seng	Puget Sound ESD 121
1998 Dwaine Klein	ESD 101
1997 Jean Haakenson	ESD 113
1996 Tom Graham	ESD 105
1995 Jo Vogeler	Northwest ESD 189
1994 Brad Gingerich	ESD 123
1993 Katie Proteau	Olympic ESD 114
1992 Ron Schmidt	ESD 101
1991 Roy Garrison	ESD 112
1990 Gary Vaughn	North Central ESD 171
1989 Steve Colby	Northwest ESD 189
1988 Dr. Mark Kondo	ESD 101
1987 Gretchen Ilgenfritz	Puget Sound ESD 121
1986 Norma Thompson	ESD 105
1985 Harold Anderson	ESD 113
1984 David Bayne	ESD 123
1983 Sue Lubash	Northwest ESD 189
1982 Tom Graham	ESD 105
1981 Ann Moldrem	Puget Sound ESD 121
1980 Robert Mueller	North Central ESD 171
1979 Carol Gaskil	ESD 112
1978 Ben Jenness	ESD 101

1977 Margaret Boyce ESD 110
 1976 Lee Mantz, Jr ESD 123
 1975 Dr. Howard HendersonOlympic ESD 114

IV. AESD Strategic Plan, 2018 – 2021

Mission

To ensure equity and excellence in education through effective services delivered statewide.

Vision

To inspire and foster equity, opportunity, and results through meaningful support of all school districts.

Goals & Strategies (Updated, Nov. 2019)

Goal 1 (Strategic Relationships): Develop strategic relationships Vision: To grow a sustainable future through strategic relationships			
	Strategy/Tactics	A. AESD legislative priorities are developed through a strategic process that actively engages ESD leadership, the AESD Executive Committee, and other key stakeholders; is focused on timely AESD system needs; and that results in a complete legislative agenda by November 1 annually.	B. Characteristics and goals for AESD strategic partnerships are defined through a process that focuses on maintaining and strengthening existing partnerships; and that identifies new, high leverage partnerships/coalitions to pursue annually.
	Performance Measures	Annual process defined and executed.	Strategic association partners identified. Partnership characteristics and goals defined.
	Timeline	Fall 2019 – Fall 2021	Spring 2020 - 2021

Goal 2 (Grow the Network): Enhance the Network and provide needed services with a focus on quality and impact. Vision: To provide seamless and nimble services

	Strategy/Tactics	A. Gather and compile data from each ESD regarding current, emerging, and scalable initiatives on a bi-annual basis that will guide AESD leadership in prioritizing new AESD network programs to pursue that add value to school districts statewide.	B. Maintain and grow funding to the AESD Network based on statewide needs across the AESD system and within school districts.
	Performance Measures	AESD and ESD initiatives compiled. Use to guide decision-making and resource deployment/requests .	AESD network baseline established. System established to document increased revenue to AESD/ESDs based on network advocacy and partnerships. Strategic opportunities identified for future pursuit.
	Timeline	Spring 2020 / 2021	2020 / 2021

Goal 3: Tell our story
Vision: ESDs are an integral and valuable part of the education eco system in Washington State

	Strategy/Tactics	A. Develop and implement a multi-year AESD communications plan that actively engages AESD network leadership and that builds on the foundation established in the AESD 2010 communications plan.
	Performance Measures	AESD leadership teams involved in providing input to updated communications plan. Updated plan complete by August 2020.
	Timeline	Spring/Summer 2020 / 2021

V. Interlocal Agreement, 2018

This INTERLOCAL AGREEMENT (“Agreement”) is entered into by and between:

- NORTHEAST WASHINGTON EDUCATIONAL SERVICE DISTRICT 101 (“NEWESD”)
- EDUCATIONAL SERVICE DISTRICTS 105 (“ESD 105”)
- EDUCATIONAL SERVICE DISTRICT 112 (“ESD 112”)
- CAPITAL REGION EDUCATIONAL SERVICE DISTRICT 113 (“ESD 113”)
- OLYMPIC EDUCATIONAL SERVICE DISTRICT 114 (“Olympic ESD”)
- PUGET SOUND EDUCATIONAL SERVICE DISTRICT (“PSESD”)
- EDUCATIONAL SERVICE DISTRICT 123 (“ESD 123”)
- NORTH CENTRAL EDUCATIONAL SERVICE DISTRICT (“North Central ESD”)
- NORTHWEST EDUCATIONAL SERVICE DISTRICT (“NWESD”)

The Educational Service Districts identified herein (Parties), in exchange for mutual promises to act in accordance with the provisions set out below, hereby agree as follows:

I. Purpose & Authority

The purpose of this agreement is to guide communication, expand partnerships, and consistently represent the best of the ESD Network. This Agreement is intended to engender increased collaboration among the ESDs allowing for provision of services authorized by Chapter 28A.310 RCW to school districts located within each others regions, and to affirm the cooperative working relationships between the nine ESDs in the state of Washington.

Each of the Parties is a duly constituted Educational Service District, organized and existing under and by virtue of the laws of the state of Washington. Chapter 39.34 RCW authorizes the Parties to enter into agreements with each other for joint or cooperative action, wherein the Board of Directors of each public agency has so authorized such an agreement.

Each ESD is authorized (RCW 28A.310) to provide cooperative, informational, and other services or practices that support the education of students birth through twelfth grade, including preparation for post-secondary and career readiness; or to provide or support the effective, efficient, or safe management and operation of school systems that are served by ESDs. The ESDs’ collective charge is to provide services that assure equal educational opportunities for all of Washington’s school districts, the center for childhood deafness and hearing loss, and the school for the blind.

The ESDs are statutorily authorized to establish cooperative services programs and direct service programs for school districts within the ESD. In order to systemically and purposefully provide services to districts beyond the bounds of individual ESDs, the ESDs have developed an Association of Educational Service Districts (AESD) collective approach to statewide and multi-regional service provision, as described in the *Design of the Washington Educational Service District Network*, adopted in 2008. The AESD Network is a voluntary affiliation of the nine ESDs with the purpose of creating a more effective statewide system within specified areas of service.

The AESD Network is built on a foundation of strong relationships among the ESDs and with clients and partners. These relationships are marked by trust, mutual respect, integrity, and honesty. Each of the parties recognize that ESDs have developed areas of expertise and that the sharing of expertise permits each ESD to make the most efficient use of its resources. The AESD Network provides a process whereby individual ESD's with such areas of expertise may provide services to other ESD's and/or to the school districts in other regions of the state.

By entering into this Agreement, each ESD individually authorizes the other ESDs to provide services to school districts located within its region, provided the providing ESD is subject to the *Service Provision Guidelines and Requirements* delineated in Section IV.

II. Shared Values

The AESD Network is a values-driven enterprise. The work of the AESD Network is guided by six shared values and beliefs:

- **Equity** ESDs are committed to high quality service for the education community and the achievement of every child.
- **Accountability** ESD services reliably produce outcomes important to clients.
- **Leadership** ESDs organize local resources and serve clients by being creative, agile, efficient, and attuned to their unique needs. ESDs lead with their competence.
- **Autonomy** ESDs value the independence of each member and the entrepreneurial spirit that makes for excellent regional service delivery.
- **Relationships** ESDs develop and honor strong relationships with clients, partners, and among themselves. Relationships are marked by trust, mutual respect, honesty, and integrity.
- **Synergy** ESDs know that their unique strengths as individual organizations complement and multiply each other in a robust statewide delivery system.

III. Outcomes of the AESD Network

Sharing resources and expertise within the AESD Network allows for efficiency in service delivery, equity of service provision, and assurance of highest quality outcomes for children. By developing strength and autonomy at the local service level, while creating a consistent delivery system at the state level, the ESDs will:

- A. **Develop** and demonstrate competent delivery of education services to every Washington State school district through the ESD Network.
- B. **Innovate** locally and leverage statewide. Have processes for matching the special capabilities of each of the nine ESDs with needs of Washington’s education system.
- C. **Cultivate** enduring relationships among each other and with educators, policymakers, partners, and funders. Be mutually accountable in all agreements.
- D. **Reward** individual ESDs both for local excellence and for strengthening the Network’s capacity, processes, and services.

IV. AESD Network & ESD Service Provision

A. Definitions:

- i. **AESD Network** means the voluntary affiliation and partnership among the nine ESDs, and where the scope of work for a particular project requires service or support from a non-ESD partner, the *Network* may include a specific partner (i.e., OSPI, DEL, non-profit corporations) (*note - the nine ESDs are a network irrespective of any partnership with another organization*).
- ii. **AESD Network Service** means a service that is authorized by the AESD Network in accordance with the processes and provisions below. Network service delivery may include partners from outside organizations including government, non-profit and/or private sectors (depending on scope of work), and specific network deliverables. Network services may be provided by all ESDs or by specific ESDs but the service is described and understood to be an AESD Network service. AESD Network Services are available to all school districts across the state.
- iii. **Initiating ESD** means the ESD that provides services within the region of another ESD, pursuant to the processes and provisions delineated below.
- iv. **Receiving ESD** means the ESD that consents to the Initiating ESD’s providing services within its region, pursuant to the processes and provisions delineated below.

B. Process Requirements:

The following process requirements for providing service outside an ESD's region aligns with the AESD Network's shared values and outcomes and will support the design and delivery of services among multiple ESDs and/or across the AESD Network. It is the intent of the Parties to support the requests of services for school districts. The following requirements are designed so that each ESD is in communication with its respective district(s) in order to both ensure that district's needs are met to the best of the individual ESD and collective AESD Network's capabilities, and to determine the most appropriate manner to provide such services in both the short- and long-term.

i. *New AESD Network Services.* An ESD that initializes the conception of delivery of a new service will consider if the new service is potentially something districts outside its region would be interested in. If there is a likely potential for a service to be of interest outside the Initiating ESD's region, its Superintendent will bring the topic to an ESD Superintendent meeting for discussion prior to the service being offered or delivered.

If the service is determined by all the ESD Superintendents to be best positioned and delivered as an AESD Network Service, these steps will be followed: (1) concept reviewed (position paper detailing concept may be requested), (2) business plan development (see section C. below), (3) unanimous approval/recommendation by the ESD Superintendents to deliver services through the AESD Network, which is deemed as consent by the Receiving ESD for the Initiating ESD(s) to offer the service state-wide, and (4) approval by the AESD Executive Board.

ii. *New Non-AESD Network Services.* An Initiating ESD that simply wants to provide service outside its region shall consult with the superintendent of the Receiving ESD to receive consent before providing specific services to school districts within the Receiving ESD's region. Arrangements to finance the delivery of the service outside the Initiating ESD's region shall be addressed in accordance with Section C below. When an ESD receives a request for service from a school district outside their region the following steps will be taken:

- a. the Initiating ESD the school district contacted will communicate to the school district that they will follow-up with the Receiving ESD to determine who would be best suited to provide the service,
- b. the Initiating ESD and the Receiving ESD will confer to determine who and how best to provide the service,

- c. the Initiating ESD will follow up with the school district to share the plan for providing the requested service; (note that the service could be provided by the Initiating ESD, the Receiving ESD, or some combination).

iii. School District Requests for Services Outside its Resident ESD. When an ESD receives a request for service from a school district outside its region the following steps will be taken:

- a. The ESD superintendent receiving the request will communicate to the school district that their resident ESD must be contacted to determine who might be suited to provide the service.
- b. The ESD superintendent receiving the request and the ESD superintendent within which the school district resides will confer to determine what service(s) the ESDs, individually or collectively, have the capacity to provide and the most appropriate manner to provide such service(s) in both the short and long term.
- c. The superintendent of the ESD identified as most appropriate to provide the services will follow-up with the school district to share the plan for providing the requested service. (Note service(s) could be provided by either ESD, or some combination, if it is determined that capacity exists to provide them.)
- d. **Existing Services considered grandfathered;** ESDs currently offering services outside their respective ESD region are grandfathered relative to those services and do not need to stop the provision of service and go through these process requirements.
- e. **All New Service.** Upon execution of this Agreement, all new services that are provided shall only be offered outside any individual ESD's region in accordance with the above process requirements.

C. Manner of Financing and/or Business Plan:

- i. The Initiating ESD shall establish reasonable charges for providing services, determine the appropriate manner of financing its services, and propose a revenue sharing arrangement. The Initiating ESD shall be responsible for all budget and accounting procedures related to the provision of the specified services. All budgets shall be prepared in compliance with Chapter 28A.RCW.
- ii. The Receiving ESDs who participate in revenue sharing will provide services in support of service delivery in their region. The specific services the Receiving ESD will provide will vary based on the scope of work for the services that would be offered.

iii. A business plan will be developed for all AESD Network Services. The plan will include at a minimum; (1) service delivery and operational information, (2) a financial plan including a projection of revenues, expenditures, and an estimate of upfront investment capital needed, and (3) roll-out, launch, marketing and/or communication strategies/activities.

iv. The AESD Board of Directors will identify one ESD to serve as the fiscal agent who will collect and disburse funds to meet the AESD Network needs.

D. Dispute Resolution:

To the greatest intent possible, equitable, cost-effective, and high-quality services shall be made available to all school systems within the state of Washington. If the Initiating ESD and the Receiving ESD fail to reach agreement for service provision, the following resolution process shall be followed. AESD president and the ESD superintendent can waive, by mutual consent, the formal adjudication process, however, either of the affected parties may appeal the decision back to the formal process by a majority vote of the ESD Superintendents and the AESD Executive Council.

Resolution Process:

- i. Three (3) members of the AESD Executive Board Leadership along with two (2) members of the ESD Superintendent Association leadership shall serve as the mediation leads when needed. A chairperson shall be designated by the AESD president.
- ii. The Initiating and Receiving ESDs shall provide written information to the identified members no later than ten (10) working days prior to the hearing.
- iii. During the hearing the parties will be afforded an equitable and reasonable amount of time to present their views. Reasonable shall be defined by the nature of the issue and at the discretion of the chairperson.
- iv. After review of the information the five (5) members will confer to reach a recommended non-binding resolution provided that the delivery of such shall not exceed ten (10) working days.
- v. The Initiating and Receiving ESDs shall submit in writing their intent related to the recommended resolution no later than ten (10) working days following the receipt of the aforementioned recommendation.

E. Manner of Acquiring, Holding and Disposing of Property:

The Initiating ESD shall be responsible for acquiring all real or personal property necessary to provide the services it would offer, and all such property shall be held in the Initiating ESD's name.

V. General Provisions

A. Duration and Termination:

This Agreement shall remain in full force and effect for a period of two (2) years starting on September 1, 2018, and expiring on August 31, 2020. The Agreement shall be automatically renewed for successive two-year terms thereafter, unless dissolved by unanimous agreement. An ESD may withdraw from the Agreement either at its initial termination date or at any time thereafter upon giving at least one (1) year prior written notice to the other ESDs.

B. Administration of Agreement:

It is not the intent of the parties nor shall this Agreement be interpreted to create a separate legal entity for the performance of this Agreement. Instead, the Parties shall all collectively administer this Agreement.

C. Integration and Amendments:

This Agreement supersedes in its entirety the Interlocal Agreement the Parties entered into in 2004 governing the shared provision of ESD services. The Agreement may be amended or modified by mutual agreement of all parties. Any amendment or modification shall be in writing, signed, and duly approved by the participating ESD Board of Directors.

D. Filing of the Agreement:

A copy of this Agreement shall be filed with the Association of Educational Service Districts and made available on the AESD public website.

E. Adoption of Agreement:

The Board of each of the Parties authorizes this Agreement and has taken appropriate action by resolution or motion to approve this Agreement.

F. Signature Blocks:

The Parties acknowledge that they have read, understand, and accept this Agreement, including any supplements or attachments, and that this Agreement constitutes the entire agreement between them and supersedes all other communications, written or oral, relating to the subject matter of the Agreement. This Agreement may be executed on counterparts and shall be binding on all Parties as if all signatures were affixed to a single

Agreement. An electronic facsimile of this Agreement bearing the authorized signature of any party shall have the same force and effect as a copy bearing an original signature.