

**RESOLUTION APPROVING AND RATIFYING
AN AMENDMENT TO THE ARTICLES OF AGREEMENT FOR THE
SOUTHERN WILL COUNTY COOPERATIVE FOR SPECIAL EDUCATION**

WHEREAS, the Board of Education of Peotone Community Unit School District 207-U (the "Board of Education") is a member of the Southern Will County Cooperative for Special Education ("SOWIC") and, with other members of SOWIC, entered into Articles of Agreement (the "Articles") dated April 21, 1969, with a latest revision of May 12, 2015; and

WHEREAS, the Governing Board of SOWIC adopted a Resolution (the "SOWIC Resolution") Approving certain Amendments to the Articles on February 9, 2021 (the "Amendments"), which Resolution is attached to this Resolution as Exhibit 1; and

WHEREAS, the purpose of the Amendments is to make changes to the provisions of Article III, Section 6 as they relate to, withdrawal from and resumption of participation in Cooperative programs and/or services by member districts; and

WHEREAS, amending the Articles requires both a 2/3 vote of the Governing Board of SOWIC and ratification by a majority of the boards of education of the member school districts; and

WHEREAS, as evidenced by the SOWIC Resolution, 2/3 of the Governing Board of SOWIC has approved the Amendments contained in the SOWIC Resolution; and

WHEREAS, the Board of Education has determined that it is in the best interest of its School District to approve the Amendments contained in the SOWIC Resolution in the form approved by the Governing Board of SOWIC;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Peotone Community Unit School District 207-U, Will County, Illinois, as follows:

Section 1: The foregoing recitals and Exhibit 1 are incorporated into, and made a part of, this Resolution as findings of the Board of Education.

Section 2: The Board of Education approves and ratifies the Amendments contained in the attached SOWIC Resolution.

Section 3: This Resolution shall be in full force and effect forthwith upon and after its adoption and the Secretary of the Board or his or her designee is authorized to deliver this Resolution to the Governing Board of SOWIC.

ADOPTED this 15th day of March, 2021, by the following roll call vote:

AYES: Mr. Betrenhausen, Mr. Douglas, Mr. Ilthe and Mrs. Becker

NAYS: 0

ABSENT: Mrs. Robinson, Mrs. Thatcher and Mrs. Moe

Tara Robinson

President, Board of Education

ATTEST

Jennifer Moe

Secretary, Board of Education

EXHIBIT A

PROPOSED REVISED ARTICLES – REDLINED COMPARISON OF CHANGES

ARTICLE III Program

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Section 6 ~~Increases or Decreases in~~ Withdrawal from and Resumption of
Participation ~~Levels by~~ in Cooperative Programs and/or Services by Member Districts ~~Member~~
~~Districts~~

A member district may ~~reduce or increase its~~ withdraw from, or resume participation in, Cooperative programs and/or ~~service~~ services as provided in this Section. The withdrawal from, or resumption of, participation in, a program or service must be effective only at the start of a new school year on July 1.

For purposes of this Section, a program is an educational offering by the Cooperative established under Article III, Sections 2 and 5, for which the member districts are charged on a tuition basis. Any other educational offering by the Cooperative is a service, including such offerings as in-district administration, social work, psychological, speech therapy or any other service approved by the Governing Board under Article III, Section 2.

Any ~~reduction in~~ withdrawal from, or resumption of, participation in Cooperative programs and/or services must be on a complete basis so that the member district ~~reducing its participation~~ withdrawing receives either none or all of such program and/or service from ~~SOWIC the Cooperative~~ and provides either all of the program and/or service on its own or from the Cooperative. However, a member district may not ~~reduce~~ withdraw participation in a program and/or service where the ~~reduction~~ withdrawal would result in a disproportionate economic burden, as determined by the Governing Board, on the member districts who continue to participate in the program and/or service offered by the Cooperative. A member district which ~~reduces its~~ withdraws from participation in a Cooperative program and/or service may not offer that program or service to other member or non-member districts, so as not to compete with the Cooperative, unless otherwise approved by the Governing Board.

~~A member district which provides on its own~~ In order to withdraw from, or resume, participation in any program and/or service as permitted above ~~shall, a member district must~~ give the Secretary of the Governing Board notice of such action. ~~The notice requirements are~~ as follows:

- a. The notice must be in writing and specifically describe the type of program and/or service to be provided by the member district and the Cooperative programs or services from which the member district seeks to withdraw.

- b. For a program ~~reduction~~withdrawal, the notice must be received by the Secretary of the Governing Board no later than March 1, sixteen (16) months in advance of the start of the school year in which the member district will withdraw and provide its own program.
- c. For a service reduction, the notice must be received by the Secretary of the Governing Board no later than January 1, six (6) months in advance of the start of the school year in which the member district will withdraw and provide its own service.
- d. If notice is given after the applicable date in b. or c. above, but no later than March 1, four (4) months before the start of the program or the service ~~reduction~~withdrawal, the member district shall pay to SOWIC the annual operating cost charged to the member district for the school year immediately ~~proceeding~~preceding the school year in which the member district provides its own program and/or services. This amount shall be paid on a pro rata monthly basis during the first school year in which the member district provides its own program and/or services.
- e. If notice is given after March 1, less than four (4) months before the start of the program or service ~~reduction~~withdrawal, the member district shall pay to SOWIC 150 percent of the annual operating cost charged to the member district for the school year immediately preceding the school year in which the member district provides its own program and/or services. This amount shall be paid on a pro-rata monthly basis during the first school year in which the member district provides its own program and/or services.
- f. A member district which has ~~provided its own~~withdrawn from participation in a Cooperative program and/or service may resume participation ~~in the SOWIC program and/or services~~ provided the Secretary of the Governing Board receives notice of such resumption. The notice ~~shall~~must be in writing and specifically describe the ~~type of~~ program and/or services to be resumed. For a program resumption, the notice must be received by the Secretary of the Governing Board no later than March 1, sixteen (16) months in advance of the start of the school year in which the resumption is to occur. For a service resumption, the notice must be received by the Secretary of the Governing Board no later than January 1, six (6) months in advance of the start of the school year in which the resumption is to occur.
- g. The payments required under d. or e. above, or the advanced notice required under f. above may be waived or reduced by the Governing Board upon the

adoption of a motion approved by the “yes” vote of at least seven members of the Governing Board, excluding the member district withdrawing from or resuming participation

~~A member district which has provided its own program and/or service may resume participation in the SOWIC program and/or services provided the Secretary of the Governing Board receives notice of such resumption. The notice shall be in writing and specifically describe the type of program and/or services to be resumed. For a program resumption, the notice must be received by the Secretary of the Governing Board no later than March 1, sixteen (16) months in advance of the start of the school year in which the resumption is to occur. For a service resumption, the notice must be received by the Secretary of the Governing Board no later than January 1, six (6) months in advance of the start of the school year in which the resumption is to occur.~~