



AGENDA

REGULAR MEETING GOVERNING BOARD

1:00 P.M. August 27, 2020

Ed Tech JPA will hold a Board meeting on August 27, 2020, at 1:00 PM via web conference at Meeting ID meet.google.com/yzw-ajdi-ohe Phone Numbers (US)+1 405-701-9371 PIN: 927 027 813#.

The meetings of the Board at which official action is taken shall be public meetings, and no person shall be excluded therefrom.

The agenda will be published at least 72 hours prior to the meeting. Supporting documentation will be provided at the meeting or emailed electronically to members prior to the meeting as it becomes available.

President	Brianne Ford
Vice-President	John Morgan
Secretary	Jeremy Davis
Treasurer	Michael Johnston

Board of Directors Founding Members

Irvine Unified	Founding Member	Brianne Ford/alternate Michelle Bennett
Capistrano Unified	Founding Member	John Morgan/alternate Stephanie Avera
Clovis Unified	Founding Member	Michael Johnston/alternate Susan Rutledge
Fullerton	Founding Member	Jeremy Davis/alternate Mike McAdam
El Dorado County of Education	Founding Member	Ed Manansala/alternate David Seabury

Agenda

1. Determination of a quorum and call to order - roll call.
2. Approve the Minutes of the previous regular meeting.
3. Public Comment

Anyone may address the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2. Each topic or item is limited to 30 minutes; each speaker is limited to 3 minutes.

4. Approval of the Agenda
5. Board Member Reports
6. Treasurer Report

Michael Johnston will provide an update to the board.

7. Standing Reports
 - 7.a. Membership
 - 7.b. Communications
 - 7.c. Procurement
 - 7.d. Goals and Objectives

8. Consent Agenda



8.a. Ratify Approval of New Associate Members

Background Information: The following organizations have applied for associate membership and, pursuant to Ed Tech JPA's Associate Member Operating Procedures, were granted provisional approval:

- Helix Charter High School
- Imperial Unified School District
- Westminster School District

The Board must formally ratify the approval of their membership.

Recommendation: Ratify associate membership for the organizations listed.

Motion:

9. Unfinished and Old Business

None.

10. New Business (Action Items)

10.a. Accept San Juan Unified School District as a Founding Member of Education Technology Joint Powers Authority

Background Information: San Juan Unified School District took action on membership in Ed Tech JPA on August 25, 2020.

Recommendation: Accept San Juan Unified School District as a Founding Member with Kent Stephens as the primary designee, and authorize the president to make this change in the Joint Powers Authority Agreement (Ed Tech JPA).

Motion:

10.b. Approve UNAUDITED ACTUALS SACS REPORT

Background information: The unaudited actuals SACS report was prepared in accordance with California Education Code Section 41010 and will be provided for review and approval.

Recommendation: Approve the unaudited actuals SACS report as presented, pursuant to California Education Code Section 42100.

Motion:

11. New Business (Non Action Items)

11.a. Review and Discuss Bylaws.

11.b. Discuss potential Founding Members and determine next steps.



11.c. Discuss Minimum Price Guarantee.

Closing Items

12. Personnel Items

13. Reports of the Executive Director and any special committees or advisory councils

14. Presentation of written communications

15. Scheduling of next regular meeting Thursday, September 24, 2020 at Meeting ID Meeting ID
meet.google.com/qdq-ygfu-kiw Phone Numbers (US)+1 929-236-4489 PIN: 725 203 831#

16. Adjournment.

Telecommuting members of the public who wish to address the Board during the Board Meeting must complete the provided form at https://docs.google.com/forms/d/1I12zovD0kE8DZmG3EIThhmnVAML0MWhSz_73BqMZEUs/edit prior to the start of the Board Meeting.



List of Attachments

Board Meeting August 27, 2020

Item No.	Page No.	Description
1	5	July 30, 2020 Board Meeting Minutes
2	9	Goals Progress Report
3	10	Attachment C to Joint Powers Authority Agreement (Ed Tech JPA)
4	11	2019-20 Unaudited Actuals SACs Report
5	29	Bylaws
6	38	Minimum Price Guarantee Verbiage

EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY

Minutes

REGULAR MEETING OF THE GOVERNING BOARD

July 30, 2020 1:00 P.M.

Google Meet

1. CALL TO ORDER

Minutes:

Brianne Ford called the meeting to order at 1:03 PM.

2. PUBLIC COMMENT

None.

Anyone may address the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2.

3. ROLL CALL

Present In Person:

N/A

Present by Telephone:

Brianne Ford with Irvine USD

David Seabury with El Dorado County Office of Education

Michael Johnston with Clovis Unified School District

Jeremy Davis with Fullerton School District

4. APPROVAL OF MINUTES

Motion Passed: Approve the Minutes from the June 25, 2020 Regular Board Meeting.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes Brianne Ford

Yes Michael Johnston

Yes David Seabury

Yes Jeremy Davis

5. APPROVAL OF AGENDA

Motion Passed: Adopt Agenda, as presented.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes Brianne Ford
Yes Michael Johnston
Yes David Seabury
Yes Jeremy Davis

6. ACCEPTANCE OF BOARD MEMBER REPORTS

Minutes: Board members shared their district/counties situation related to purchases, matters related to COVID 19, and the minimum price guarantee.

John Morgan joined the meeting at 1:15

7. ACCEPTANCE OF TREASURER REPORT

Minutes: The treasurer shared financial information.

8. ACCEPTANCE OF STANDING REPORTS

8.a. Membership

Minutes: Membership was discussed.

8.b. Communications

Minutes: Recent communications with members and vendors were discussed.

8.c. Procurement

Minutes: Current and future RFPs were discussed.

9. ACCEPTANCE OF CONSENT AGENDA

9.a. Ratify Approval of New Associate Members

Motion Passed: Ratify Approval of New Associate Members: Alameda County Office of Education, Chaffey Joint Union High School District, Fresno County Superintendent of Schools, New Haven Unified School District, Orange County Superintendent of Schools, Vista Unified School District.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes Brianne Ford
Yes Michael Johnston
Yes David Seabury
Yes Jeremy Davis
Yes John Morgan

10. UNFINISHED AND OLD BUSINESS

None.

11. NEW BUSINESS (ACTION ITEMS)

11.a. Approve Award of RFP No. 19/20-07 Media Repository Solution to Kaltura, Inc..

Motion Passed: Award RFP No. 19/20-07 Media Repository Solution and authorize the President to execute and deliver a Master Agreement with Kaltura, Inc. for Sections 1, 2, 3, and 4 contingent upon successful contract negotiations.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes Brienne Ford
Yes Michael Johnston
Yes David Seabury
Yes Jeremy Davis
Yes John Morgan

11.b. Approve Award of RFP No. 19/20-07 Media Repository Solution to Learning Explorer LLC.

Motion Passed: Award RFP No. 19/20-07 Media Repository Solution and authorize the President to execute and deliver a Master Agreement with Learning Explorer LLC for Sections 1, 2, 3, and 4 contingent upon successful contract negotiations.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes Brienne Ford
Yes Michael Johnston
Yes David Seabury
Yes Jeremy Davis
Yes John Morgan

12. NEW BUSINESS (NON ACTION ITEMS)

12.a. Discuss potential Founding Members and determine next steps.
Minutes: Potential Founding Members were discussed.

13. PERSONNEL ITEMS

Minutes: None.

14. REPORT OF EXECUTIVE DIRECTOR AND SPECIAL COMMITTEES OF ADVISORY COUNCIL

Minutes: None.

15. PRESENTATION OF WRITTEN COMMUNICATIONS

Minutes: None.

16. SCHEDULING OF NEXT MEETING

The next Regular Meeting shall be held on Thursday, August 27, 2020 at Meeting ID meet.google.com/yzw-ajdi-ohe Phone Number (US)+1 405-701-9371 PIN: 927 027 813#,as approved on the Regular Board Meeting Schedule as board approved on April 30, 2020, but may be changed at the discretion of the board.

17. ADJOURNMENT

Motion Passed: Adjourn the meeting at 1:48 pm.

Passed with a motion by Jeremy Davis and a second by David Seabury.

Yes	Brianne Ford
Yes	Michael Johnston
Yes	David Seabury
Yes	Jeremy Davis
Yes	John Morgan



EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY

ANNUAL GOALS MONTHLY PROGRESS REPORT

August 2020

The Education Technology Joint Powers Authority (Ed Tech JPA) aims to streamline procurement, provide competitive pricing, and secure favorable technology contracts for educational agencies and other eligible entities.

CURRENT POSITION

July 30, 2020	August 21, 2020	Goal for June 2021
52 Members 732,021 Ca Students 12 Completed Procurements 31 Available Contracts \$48,062.98 Admin Fee Revenue 5 Founding Members	54 Members 743,301 Ca Students 12 Completed Procurements 31 Available Contracts \$34,562.98 Admin Fee Revenue 5 Founding Members	80 Members 1,000,000 Ca Students 17 Completed Procurements Approx 48 Available Contracts \$130K Admin Fee Revenue 7 Founding Members

ATTACHMENT "C"
Founding Member Joinder Agreement

This Founding Member Joinder Agreement is effective as of _____, by and among the undersigned San Juan Unified School District (hereinafter referred to as "New Founding Member"), whose address is listed on the signature page hereto, and the parties to that certain Joint Powers Authority Agreement dated January 7, 2019, and later modification dated April 8, 2019.

Pursuant to, and in accordance with, Section 6(b) of the Joint Powers Authority Agreement, the New Founding Member hereby acknowledges that such New Founding Member has received and reviewed a complete copy of the Joint Powers Authority Agreement and its Bylaws and agrees that upon execution of this Joinder, such Person shall become a party to the Joint Powers Authority Agreement and shall be fully bound by, and subject to, all of the covenants, terms and conditions of the Joint Powers Authority Agreement as though an original party thereto.

San Juan Unified School District
3738 Walnut Avenue, Carmichael, CA 95608

By: _____ Date: _____
Name: _____ Title: _____

Education Technology Joint Powers Authority
Procurement Address: 5050 Barranca Parkway, Irvine, CA 92604
Business Address: 1450 Herndon Avenue, Clovis, CA 93611

By: _____ Date: _____
Name: Brianne Ford Title: President



2019-20
Unaudited Actuals
August 27, 2020

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MULTI-YEAR PROJECTION ASSUMPTIONS

- Projected Revenue from Administrative Fees: 2020/21 - \$44,690, 2021/22 - \$89,380, 2022/23 - \$178,760, 2023/24 - \$357,520, 2024/25 - \$715,040
 - JPA Revenues are based on a 4% Administrative Fee from Sales.
 - Member contracts funded with Federal Revenues may have restrictions related to administrative fees. In these instances, a flat rate will be negotiated.
 - Revenues earned during 2019/20 of \$16,807.
- Anticipate recruiting two (2) additional Founding Member Districts which will generate \$20,000 in fees
 - In 2020/21 a sixth founding member will be added, San Juan Unified.
 - First Interim 2020-21 budget will account for a seventh founding member which is TBD.
- Legal Fees for 2019/20 were \$52,940
 - This brings the total liability to \$376,741.90.
 - Based on projected sales, liability will be paid in full as of 6/30/25.
 - Projected annual legal costs are \$55,000.
- Administrative Fees
 - Clovis USD waived Administrative Fees through the 2020/21 fiscal year and deferred 2021/22 fees to the 2023/24 fiscal year. Base administrative fees are projected to be \$30,000 annually.
 - Irvine Unified deferred 2018/19 and 2019/20 direct costs to 2023/24. Annual projection is approximately \$15,000.
 - Irvine Unified waived Administrative Fees through the 2020/21 fiscal year and deferred 2021/22 fees to the 2023/24 fiscal year. Base administrative fees are projected to be \$20,000 annually.
 - Irvine Unified and Clovis Unified waived .25% variable fee through 2020/21.
- McGuire & Associates will be the JPA Consultant
 - Fees deferred until 2020/21 fiscal year; no fees will be charged for the 2020/21 fiscal year.
- A JPA is required to maintain a budgeted reserve of 5% of expenditures \$71,000 whichever is greater.

Summary of Multi-Year Projection

	2018-19 Actuals	2019-20 Actuals	2020-21 Adopted Budget	2020-21 First Interim Projection	2021-22	2022-23	2023-24	2024-25	Notes
Estimates/Projections									
Revenue (Projected)	\$ 40,000	\$ 26,807	\$ 28,008	\$ 64,690	\$ 89,380	\$ 178,760	\$ 357,520	\$ 715,040	
Estimated Expenditures and Obligations	\$ -	\$ 5,487	\$ 20,504	\$ 40,940	\$ 74,065	\$ 183,323	\$ 378,524	\$ 503,154	
Net	\$ 40,000	\$ 21,320	\$ 7,504	\$ 23,750	\$ 15,315	\$ (4,563)	\$ (21,004)	\$ 211,886	
Ending Balance	\$ 40,000	\$ 61,320	\$ 86,021	\$ 85,070	\$ 100,385	\$ 95,822	\$ 74,818	\$ 286,704	
Minimum Reserve	\$ 67,000	\$ 69,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	
Net (Including Reserve Requirement)	\$ (27,000)	\$ (7,680)	\$ 15,021	\$ 14,070	\$ 29,385	\$ 24,822	\$ 3,818	\$ 215,704	
Revenues									
	2018-19 Actuals	2019-20 Actuals	2020-21 Adopted Budget	2020-21 First Interim Projection	2021-22	2022-23	2023-24	2024-25	
Projected Revenue									
Founding Member Contributions	\$40,000	\$10,000	\$0	\$20,000	\$0	\$0	\$0	\$0	
New Revenues Projected	\$0	\$0	\$10,673	\$27,883	\$44,690	\$89,380	\$178,760	\$357,520	
Sales Revenue (Current + Anticipated Renewals)	\$0	\$16,807	\$17,335	\$16,807	\$44,690	\$89,380	\$178,760	\$357,520	
Total	\$40,000	\$26,807	\$28,008	\$64,690	\$89,380	\$178,760	\$357,520	\$715,040	
Expenditures									
	2018-19 Actuals	2019-20 Actuals	2020-21 Adopted Budget	2020-21 First Interim Projection	2021-22	2022-23	2023-24	2024-25	
Fixed/Flat Costs									
McGuire and Associates Contract	\$ -	\$ -	\$ 10,000	\$ 7,095	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	Deferred \$ 5,745 (18-19) , est. \$1,350 (19-20), waive 20-21
Insurance	\$ -	\$ 1,987	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	
Auditor	\$ -	\$ 3,500	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	
Clovis Unified Admin Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 60,000	\$ 30,000	Waive 18-19, 19-20, 20-21, Defer 21.22 until 23-24
Marketing	\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	
Travel Costs	\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	
Irvine Unified - Tier 1 - Direct Costs	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ 15,000	\$ 44,794	\$ 15,000	Defer 18-19/19-20=\$29,793.70, avg \$15K per year
Irvine Unified - Tier 2 - Staff Time Base Support	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 40,000	\$ 20,000	Waive 18-19, 19-20, 20-21, Defer 21.22 until 23-24
Reimbursing Founding Members	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Will add if revenue is sufficient.
Payments to Founding Members	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Will add if revenue is sufficient.
F3 Ongoing	\$ -	\$ -	\$ 4,004	\$ 12,345	\$ 34,690	\$ 55,000	\$ 55,000	\$ 55,000	JPA keeps \$20K Admin Fees and F3 receives 50% of balances towards current and deferred fees, assume \$55K Annually
F3 Deferral	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,380	\$ 113,760	\$ 301,567	Through 6/30/20, balance is \$376,742
Total Fixed/Flat Costs	\$ -	\$ 5,487	\$ 20,504	\$ 40,940	\$ 64,190	\$ 158,880	\$ 328,054	\$ 436,067	
Variable Costs*									
Clovis Admin Fee (0.25%)	\$ -	\$ -	\$ -	\$ -	\$ 4,938	\$ 12,222	\$ 25,235	\$ 33,544	Waive 18-19, 19-20, 20-21
Irvine Procurement Fee (0.25%)	\$ -	\$ -	\$ -	\$ -	\$ 4,938	\$ 12,222	\$ 25,235	\$ 33,544	Waive 18-19, 19-20, 20-21
Total Variable Costs	\$ -	\$ -	\$ -	\$ -	\$ 9,875	\$ 24,443	\$ 50,470	\$ 67,087	
Total Costs	\$ -	\$ 5,487	\$ 20,504	\$ 40,940	\$ 74,065	\$ 183,323	\$ 378,524	\$ 503,154	

UNAUDITED ACTUAL FINANCIAL REPORT:

To the County Superintendent of Schools:

2019-20 UNAUDITED ACTUAL FINANCIAL REPORT. This report was prepared in accordance with Education Code Section 41010 and is hereby approved and filed by the governing board of the JPA pursuant to Education Code sections 41023 and 42100.

Signed: _____
Clerk/Secretary of the JPA Governing Board
(Original signature required)

Date of Meeting: Aug 27, 2020

To the Superintendent of Public Instruction:

2019-20 UNAUDITED ACTUAL FINANCIAL REPORT. This report has been verified for accuracy by the County Superintendent of Schools pursuant to Education Code sections 41023 and 42100.

Signed: _____
County Superintendent/Designee
(Original signature required)

Date: _____

For additional information on the unaudited actual reports, please contact:

For County Office of Education:

For JPA:

Irma Corrales
Name
District Financial Services, Supervisor
Title
(559) 265-3024 ext 1-3304
Telephone
icorrales@fcoe.org
E-mail Address

Susan Rutledge
Name
Assistant Superintendent
Title
(559) 327-9127
Telephone
susanrutledge@cusd.com
E-mail Address

REQUEST FOR AN APPROVED INDIRECT COST RATE:

JPAs do not receive an approved indirect cost rate unless specifically requested.

(N) Do you want an approved indirect cost rate for use with 2021-22 programs? (Yes/No)

Unaudited Actuals
 FINANCIAL REPORTS
 2019-20 Unaudited Actuals
 Summary of Unaudited Actual Data Submission

Following is a summary of the critical data elements contained in your unaudited actual data. Since these data may have fiscal implications for your agency, please verify their accuracy before filing your unaudited actual financial reports.

Form	Description	Value
ICR	Preliminary Proposed Indirect Cost Rate Fixed-with-carry-forward indirect cost rate for use in 2021-22, subject to CDE approval (applicable only if an approved indirect cost rate has been requested).	0.00%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
R V S					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	26,807.31	28,008.00	4.5%
5) TOTAL, REVENUES			26,807.31	28,008.00	4.5%
P D I T R S					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	5,486.58	20,504.00	273.7%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			5,486.58	20,504.00	273.7%
C C S S D F I C I C O F R V S O V R P D I T R S F O R O T R F I C I S O R C S D S S			21,320.73	7,504.00	-64.8%
D O T R F I C I S O R C S S S					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
T I C R S D C R S I F D L C C D			21,320.73	7,504.00	-64.8%
F F D L C R S R V S					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	40,000.00	61,320.73	53.3%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a F1b)			40,000.00	61,320.73	53.3%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c F1d)			40,000.00	61,320.73	53.3%
2) Ending Balance, June 30 (E F1e)			61,320.73	68,824.73	12.2%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	61,320.73	68,824.73	12.2%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
ASSETS					
1) Cash					
a) in County Treasury		9110	57,797.73		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	3,523.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			61,320.73		
DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			0.00		
DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
FUND BALANCE					
Ending Fund Balance, June 30 (must agree with line F2) (G9 H2) - (I6 J2)			61,320.73		

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
F D R L R V					
Special Education Discretionary Grants		8182	0.00	0.00	0.0%
Child Nutrition Programs		8220	0.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.0%
Career and Technical Education	3500-3599	8290	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OT RST T R V					
Other State Apportionments					
All Other State Apportionments - Current Year		8311	0.00	0.00	0.0%
All Other State Apportionments - Prior Years		8319	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.0%
Mandated Costs Reimbursements		8550	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.0%
California Clean Energy Jobs Act	6230	8590	0.00	0.00	0.0%
Career Technical Education Incentive Grant Program	6387	8590	0.00	0.00	0.0%
Drug/Alcohol/Tobacco Funds	6695	8590	0.00	0.00	0.0%
All Other State Revenue	All Other	8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.0%
OT R LOC L R V					
Other Local Revenue					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
Leases and Rentals		8650	0.00	0.00	0.0%
Interest		8660	0.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Fees and Contracts					
Adult Education Fees		8671	0.00	0.00	0.0%
In-District Premiums/ Contributions		8674	0.00	0.00	0.0%
Transportation Fees From Individuals		8675	0.00	0.00	0.0%
Interagency Services		8677	10,000.00	0.00	-100.0%
All Other Fees and Contracts		8689	16,807.31	28,008.00	66.6%
Other Local Revenue					
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.0%
All Other Local Revenue		8699	0.00	0.00	0.0%
Tuition		8710	0.00	0.00	0.0%
All Other Transfers In		8781-8783	0.00	0.00	0.0%
Transfers of Apportionments					
Special Education SELPA Transfers From Districts or Charter Schools	6500	8791	0.00	0.00	0.0%
From County Offices	6500	8792	0.00	0.00	0.0%
From JPAs	6500	8793	0.00	0.00	0.0%
ROC/P Transfers					
From Districts or Charter Schools	6360	8791	0.00	0.00	0.0%
From County Offices	6360	8792	0.00	0.00	0.0%
From JPAs	6360	8793	0.00	0.00	0.0%
Other Transfers of Apportionments					
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			26,807.31	28,008.00	4.5%
TOTAL, REVENUES			26,807.31	28,008.00	4.5%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
CERTIFICATED SALARIES					
Certificated Teachers Salaries		1100	0.00	0.00	0.0%
Certificated Pupil Support Salaries		1200	0.00	0.00	0.0%
Certificated Supervisors and Administrators Salaries		1300	0.00	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.0%
CLASSIFIED SALARIES					
Classified Instructional Salaries		2100	0.00	0.00	0.0%
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors and Administrators Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.0%
Workers Compensation		3601-3602	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.0%
BOOKS AND SUPPLIES					
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
Food		4700	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
SERVICES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.0%
Dues and Memberships		5300	0.00	0.00	0.0%
Insurance		5400-5450	1,986.58	1,500.00	-24.5%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	3,500.00	19,004.00	443.0%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			5,486.58	20,504.00	273.7%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS					
Tuition					
Tuition, Excess Costs, and/or Deficit Payments					
Payments to Districts or Charter Schools		7141	0.00	0.00	0.0%
Payments to County Offices		7142	0.00	0.00	0.0%
Payments to JPAs		7143	0.00	0.00	0.0%
Other Transfers Out					
Transfers of Pass-Through Revenues					
To Districts or Charter Schools		7211	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments					
To Districts or Charter Schools	6500	7221	0.00	0.00	0.0%
To County Offices	6500	7222	0.00	0.00	0.0%
To JPAs	6500	7223	0.00	0.00	0.0%
ROC/P Transfers of Apportionments					
To Districts or Charter Schools	6360	7221	0.00	0.00	0.0%
To County Offices	6360	7222	0.00	0.00	0.0%
To JPAs	6360	7223	0.00	0.00	0.0%
Other Transfers of Apportionments	All Other	7221-7223	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS					
Transfers of Indirect Costs		7310	0.00	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	0.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			0.00	0.00	0.0%
TOTAL, EXPENDITURES			5,486.58	20,504.00	273.7%

Description	Resource Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
From: Special Reserve Fund		8912	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: Special Reserve Fund		7612	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
To: Cafeteria Fund		7616	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES					
SOURCES					
Long-Term Debt Proceeds Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b c - d e)			0.00	0.00	0.0%

Description	Function Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	26,807.31	28,008.00	4.5%
5) TOTAL, REVENUES			26,807.31	28,008.00	4.5%
EXPENDITURES					
1) Instruction	1000-1999		0.00	0.00	0.0%
2) Instruction - Related Services	2000-2999		0.00	0.00	0.0%
3) Pupil Services	3000-3999		0.00	0.00	0.0%
4) Ancillary Services	4000-4999		0.00	0.00	0.0%
5) Community Services	5000-5999		0.00	0.00	0.0%
6) Enterprise	6000-6999		0.00	0.00	0.0%
7) General Administration	7000-7999		5,486.58	20,504.00	273.7%
8) Plant Services	8000-8999		0.00	0.00	0.0%
9) Other Outgo	9000-9999	Except 7600-7699	0.00	0.00	0.0%
10) TOTAL, EXPENDITURES			5,486.58	20,504.00	273.7%
OVERSIGHT			21,320.73	7,504.00	-64.8%
OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Function Codes	Object Codes	Unaudited Actuals	Budget	Percent Difference
T I C R S D C R S I F D L C C D			21,320.73	7,504.00	-64.8%
F F D L C R S R V S					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	40,000.00	61,320.73	53.3%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a F1b)			40,000.00	61,320.73	53.3%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c F1d)			40,000.00	61,320.73	53.3%
2) Ending Balance, June 30 (E F1e)			61,320.73	68,824.73	12.2%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments (by Resource/Object)		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments (by Resource/Object)		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	61,320.73	68,824.73	12.2%

<u>Resource</u>	<u>Description</u>	<u>audited</u>	<u>actuals</u>	<u>budget</u>
	Total, Restricted Balance		0.00	0.00

**EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY
BYLAWS**

I. NAME.

The name of this organization shall be the Education Technology Joint Powers Authority (hereinafter referred to as "JPA").

II. PURPOSE.

The JPA's primary purpose shall be to leverage the buying power of multiple entities to provide legally compliant and economically priced digital education products and services to its members. The JPA will collect a fee from the sale of such products and services to its members and that fee will be used to pay for the cost of running the JPA ("Administrative Fee"). The JPA will perform primary administrative and governance tasks necessary to provide legally compliant and economically priced digital products and services to its members. The JPA is committed to building capacity in its membership and may provide additional training and support as priorities are determined by the JPA board. The JPA shall provide those programs and services which are determined, pursuant to Article V, Section F, Subd. 14, to be priority needs of the membership and shall assist in meeting special needs which arise from fundamental constraints upon individual members.

III. BOARD JPA.

A. Controlling Authority. The Board will operate within its legal authority, as specified in the Constitution of the State of California, the laws of the State of California, chiefly the Education Code and joint exercise of powers provisions of the Government Code, and the Rules and Regulations of the State Board of Education as contained in the California Administrative Code Title V, Education. The control of the JPA is vested in the Board. (Education Code Sections 35100-35351, Governing Boards; Government Code Sections 6500-6539, The Joint Exercise of Powers Act.)

B. General Powers. The Board and the JPA have the power to exercise any power common to its members in furtherance of the functions and objectives set forth in the Joint Powers Agreement to the full extent of the law. Included in those duties and powers is the right to: make and enter contracts, employ agents and employees, direct the work of its employees; determine the method, means and services to be provided; determine the staffing patterns; determine the number and kinds of personnel required to maintain the efficiency of the JPA operation; build, move, or modify the facilities; develop a budget; determine the methods of raising revenue; and contract out work. In addition, the Board has the right to evaluate, hire, promote, terminate, and discipline employees, and to take action on any matter in the event of an emergency.

IV. Membership and Participation.

A. Founding Membership. Founding Membership in the JPA shall be limited to public school districts, cities, counties, and other governmental units. There will be no less than two (2) and no more than seven (7) founding members ("Founding Members"). The Founding Members shall be the original signatories to the Joint Powers Agreement.

- 1) Founding Members shall nominate one (1) person to serve on the JPA's Board of Directors, and one (1) alternate to serve in the Board Member's absence.
- 2) Only Founding Members are responsible for any proportionate share of expenses and entitled asset distributions, as may annually be allowed or assessed by the JPA's Board of Directors.
- 3) Founding Members shall pay a fee of \$10,000 upon initial acceptance as a Founding Member of the JPA. This initial fee and any other contribution or assessment made by the Founding Member shall be repaid by the revenues generated by the JPA and at such time as the Board may determine. This fee shall also be recoverable, if not already repaid, upon withdrawal from the JPA, pursuant to paragraph E of this Article, below.
- 4) In the event Ed Tech JPA incurs any extraordinary or unanticipated costs, including, but not limited to, legal fees and/or litigation expenses, the Founding Members may be assessed a fee or fees as determined by a majority vote of the Board necessary to pay such extraordinary or unanticipated costs.
- 5) Founding Members may be located outside of the State of California

B. Associate Membership. Associate Membership shall be available to public school districts, charter schools, cities, counties, and other governmental units to the extent allowed by law.

- 1) Associate members shall be entitled to participate in the JPA's digital purchase program and other services and programs offered by the JPA.
- 2) Associate Members shall not be permitted to nominate any of their governing board members to serve on the JPA's Board of Directors.
- 3) Associate Members are not responsible for any proportionate share of expenses or entitled to asset distributions.
- 4) Associate Members are not entitled to any voting privileges on JPA matters.
- 5) Associate Members shall be required to pay Membership Dues, if any, assessed by the Board of Directors.
- 6) Associate members may be located outside of the State of California

C. Initiating Membership. In order to become a member of the JPA, the potential Founding Member or Associate Member must follow the process identified below. The JPA reserves the right to deny membership to any potential member, for any reason.

- 1) **Associate Membership Application.** Any eligible school district, city or county, or other governmental unit or nonprofit organization may belong the JPA as an Associate Member. The Associate Member candidate must fill out and submit a membership application and deliver a copy of the duly authorized and executed Associate Member Agreement to the JPA. By signing the Associate Membership Agreement, the member's governing board agrees to acceptance of the JPA's by-laws. Once submitted and approved by the JPA, the applicant will become an Associate Member. Participation in programs and services provided by the JPA shall be discretionary.
- 2) **Founding Membership Application.** Founding Members may be added by a majority vote of the Governing Board, up to the limits set forth in Article IV, Section A, above. The prospective Founding Member candidate (including new and existing Associate Members) must fill out and submit a founding membership application to the JPA. If approved by the

Governing Board, the Founding Member must deliver a copy of the duly authorized and executed Joint Powers Authority Agreement (Ed Tech JPA), also known as the Founding Member Agreement, and the fee as set forth in Article IV, Section A, above. By signing the Founding Membership Agreement, the member's governing board agrees to acceptance of the JPA's by-laws and to also pay fees as required by the JPA's Board of Directors. All Founding Members shall be subject to the provisions of paragraph A of this Article, above.

D. Correspondent Members. In states that do not have Joint Powers Authorities, school districts and other local education agencies may apply to join the JPA as an Associate Member and have such additional duties and privileges as the Board may designate.

E. Withdrawal from Founding Membership. A Founding Member may elect to withdraw its membership from the JPA by a majority vote of its full governing board and upon compliance with its Membership Agreement with the JPA. The withdrawal shall be effective on June 30 following the JPA's written receipt of the Founding Member's withdrawal. Notwithstanding the withdrawal, the proportionate share of any expenses already certified to the withdrawing member for the JPA shall be paid to the JPA. The terms of withdrawal from the JPA shall be governed by Government Code §§ 6522-6512. The withdrawing member shall not be eligible to receive program funds or any revenue shares arising or distributed in the fiscal years commencing after the effective date of withdrawal.

F. Removal of Founding Member. A Founding Member may be removed by a super majority (defined as "majority, plus one") vote of the Board of Directors. The Founding Member subject to removal shall abstain from the vote. The removal shall be effective immediately following the vote. The removed member shall not be eligible to receive program funds or any revenue shares arising or distributed after the effective date of removal. The removed Founding Member's initial fee may be recoverable, if not already repaid, subject to majority approval of the Board.

G. Dissolution of JPA. Founding Members may dissolve the JPA by a super majority vote of the Board of Directors. Upon the dissolution of the JPA or other final termination of the Agreement, any properties of the JPA shall be liquidated and the funds received, together with other funds on hand, shall be used first to discharge all obligations of the JPA. These obligations shall include all claims for which the JPA may have financial responsibility, including claims which have been incurred but not reported, and shall be determined by independent accountants and actuaries selected by the Board of Directors, or the Administrative Unit(s), if the Board of Directors delegates such duties. Any surplus funds remaining after payment for the JPA's obligations shall be returned to present Founding Member Agencies in proportion to contributions made and claims or losses paid.

H. Expansion of Founding Membership. The Founding Membership may be expanded beyond the initial seven (7) founding members upon unanimous, minus one, vote of the Board.

V. ORGANIZATION AND PROCEDURE OF THE BOARD

A. Board of Directors. The care, management, and control of the JPA shall be vested in a Board of Directors composed of no less than two (2) members, and no more than

seven (7) members, unless otherwise approved by the Board pursuant to Article IV, Section H, above.

B. Terms. Each Founding Member shall be entitled to place one (1) member on the Board of Directors. Such appointment shall be made by the Founding Member's Superintendent or governing board. The Founding Member's Board may appoint a designee to serve in the temporary absence of the Board Member. The term of the Board Member shall be for four (4) years. The Board Member may have additional terms at the discretion of the Founding Member's governing board.

C. Revenue. Upon satisfaction of all debts and liabilities in a given fiscal year, and after initial Founding Member contributions have been reimbursed, if the JPA is operating at net gain, each of the Founding Members may receive a fee/revenue sharing/disbursement, as determined by the Board, but no greater than .5% of the net revenue, or \$100,000, whichever is less, in a given fiscal year. The maximum threshold amount shall be adjusted for inflation according to the COLA every year. Founding Members serving as an Administrative Unit(s) as set forth in Article V, Section F, subd. 10, shall be compensated for the Services provided to the JPA, in the amount determined by a majority vote of the Board of Directors. The Board has discretion to reimburse Founding Members for Administrative Fees resulting from the purchases made pursuant to Master Agreements wherein it acted as the initiating agency. Compensation for Host Agency duties shall be superior to Founding Member revenue disbursements identified in this Section.

D. Organization. The Board of Directors of the JPA shall meet following the election each year and organize by electing a President and a Vice-President. The Board of Directors shall appoint a Secretary and a Treasurer. The Board member appointed by the agency serving as the Administrative Unit overseeing financial activities as described in Article V, Section F, subd. 10, *Administrative Units*, shall be appointed as Treasurer. The Board of Directors shall also conduct any other necessary organizational business, including appointing such other officers as it considers necessary.

- 1) **At-Large Board Members.** The JPA's Board of Directors may, at its discretion, appoint up to three (3) members, including Associate or Correspondent Members, to the JPA's Board as ex-officio, non-voting members of the Board and shall encourage the advisory participation of a cross-section of government agency personnel within the JPA to the extent allowed by law.

E. Legal Address. The legal address of the Board shall be Clovis Unified School District Office, 1450 Herndon Avenue, Clovis, CA 93611. The procurement address of the JPA shall be Irvine Unified School District, 5050 Barranca Parkway, Irvine, CA 92604.

F. Duties and Powers of the Board. The JPA's Board of Directors shall have the authority to maintain and operate the JPA. Subject to the availability of necessary resources, included among the powers and duties of this Board are:

- 1) **Meeting.** The Board of Directors shall submit an annual evaluation report of the effectiveness of programs and services and an annual plan which describes the objectives and procedures to be implemented in assisting with the resolution of the needs of the JPA's membership.

- 2) **Facilities.** The Board of Directors shall have the JPA provide adequate office, service center and administrative facilities by lease, purchase, gift, or otherwise.
- 3) **Staff.** The Board of Directors is authorized to employ central administrative staff and other personnel as necessary to provide and support the agreed upon programs and services. The Board may discharge staff and personnel pursuant to provisions of law applicable to the employing agency for in-kind services provided by JPA members, and if a direct employee of the JPA, by provisions of law applicable California public school districts. The Board shall allow the JPA staff and personnel to participate in retirement programs and any other programs available to public school staff and personnel.
- 4) **Legal Counsel.** The Board of Directors shall appoint an attorney at law who shall serve as general Legal Counsel to the JPA. Legal Counsel shall serve at the will and pleasure of the Board of Directors.
- 5) **Contracts.** The Board of Directors is authorized to enter into contracts to assist in the furtherance of the JPA's goals and objectives, including with independent contractors and consultants, and school boards of local education agencies, including school districts outside the JPA's state.
- 6) **Programs and Services.** The Board of Directors is authorized to enter into contracts with other public and private agencies and institutions to provide administrative staff and other personnel as necessary to furnish and support the agreed upon programs and services.
- 7) **Governance.** The Board of Directors shall exercise all powers and carry out all duties delegated to it by members under provisions of the JPA's by-laws. The JPA's Board of Directors shall be governed, when not otherwise provided, by applicable laws of the state of California.
- 8) **Agency Relationships.** The Board of Directors may establish cooperative, working relationships and partnerships with post-secondary educational institutions, other public agencies, business, and industry and may appoint special advisory committees representative of these partners.
- 9) **Executive Committee.** The Board of Directors may establish an Executive Committee which is hereby empowered to exercise all the powers of the Board of Directors except as otherwise specifically proscribed in these Bylaws, during times when the Board of Directors does not meet or is unable to convene a meeting. Actions requiring a supermajority vote of the Board of Directors require a supermajority vote of the Executive Committee. All other actions require a vote of the majority of the committee. The Board President shall nominate the initial members of the Executive Committee. The Board shall set the number of members and, at its sole discretion, ratify or disapprove the nominees, or appoint other members.
- 10) **Administrative Unit(s).** The administration of the JPA shall be provided by no less than one (1), and no more than four (4), Host Agencies, to be designated by the Board of Directors. An Administrative Unit(s) must be a Founding Member. The duties of each Administrative Unit(s) shall be discharged by that District's Chief Technology Officer, Chief

Business Official, or person with equivalent duties and background, who shall also serve as a member of the Board. The Administrative Unit(s) shall be charged with carrying out the purposes of the JPA, including, but not limited to: 1) procurement activities such as: preparing requests for proposal and negotiating agreements with technology providers; development and maintenance of digital contract registries; administration of professional development programs for member agencies; and creation of technology centers for the benefit of member agencies; and 2) financial activities such as: establishing a fund with the county treasurer; developing an annual budget; receiving income and processing expenditures; acting as the treasurer for the JPA, including updating the Board, preparing financial statements and contracting with an independent auditor; serving as the employer of record for JPA employees, including the performance of human resources and payroll functions. Administrative Units may be established for purposes not enumerated in this Section. In the event the Administrative Unit(s) cannot, to the satisfaction of the Board, fulfill the duties prescribed by the Board, the duties of the Administrative Unit(s) shall be transferred to another Founding Member. Administrative Unit(s) shall be compensated for the Services provided to the JPA, in the amount determined by a majority vote of the Board of Directors.

- 11) **Executive Director(s).** When the affairs and activities of the JPA so warrant, the Board of Directors shall appoint an Executive Director and such number of other personnel as may be deemed necessary. The Board of Directors shall also fix the salary and conditions of employment of such officers, which may include reasonable and necessary expenses, vacation and disability leave. The JPA's Executive Director(s) shall, under the direction of the Board of Directors, exercise the following powers and duties:
- a. Act as secretary and executive officer of the Board.
 - b. Attend all regular and special meetings of the JPA Board when so required by the Board and advise the Board of all questions under consideration.
 - c. Serve as ex-officio member of all advisory committees or councils appointed by the Board.
 - d. Provide for the keeping of minutes of the regular Board meetings, recording all proceedings and official actions and keeping such records as may be necessary.
 - e. Act for the JPA's Board as the custodian of records, reports, documents, correspondence, educational equipment and supplies, and other property and maintain inventories and indices thereof.
 - f. Prepare and present the business to be acted upon at meetings of the Board. The Executive Director(s) is authorized to enter into all associate membership agreements and to extend annual renewals for Contracts pending Board consideration. The Executive Director(s) is authorized to solicit and award all competitively solicited awards (without limits) in categories called for by the Board.
 - g. Maintain supervisory custody of the funds of the Board.
 - h. The Executive Director(s) shall write drafts against the JPA funds only for expenditures properly approved by the Board of Directors. The Executive Director(s) shall be bonded by the Board and make financial records of the Board available at all times and submit them annually for audit. The Executive Director(s) shall prepare and submit an itemized budget for approval by the JPA Board. The Executive Director(s) shall endeavor to promote through meetings, conferences, and electronic communication with government agency officials, teachers, parents, and the public generally, and by hard-copy and electronic distribution of pamphlets, bulletins, newsletters and other materials, an active interest in all desirable types

of public service and to suggest needed changes and improvements identified by member government agencies.

- i. Act for the JPA's Board as the legal representative for State and Federal Programs.
- 12) **Staff.** Staff shall serve at the will and pleasure of the Administrative Unit(s) or Agencies, subject to review and consideration by the Board.
 - 13) **Committees.** The Board of Directors may select advisory councils or committees to give advice and counsel to the Board. The councils or committees may be composed of representatives from public and nonpublic schools, cities, counties, and other governmental units, as well as representatives from business partners.
 - 14) **Annual Plan.** The Board of Directors shall submit annually a plan to the members. The plan shall identify the programs and services which are suggested by the JPA for implementation during the following year and shall contain components of long-range planning determined by the JPA. These programs and services may include, but are not limited to, the following areas:
 - a. Administrative services;
 - b. Curriculum development;
 - c. Data processing;
 - d. Distance learning and other telecommunication services;
 - e. Evaluation and research;
 - f. Staff development;
 - g. Media and technology centers;
 - h. Publication and dissemination of materials;
 - i. Pupil personnel services;
 - j. Planning;
 - k. Secondary, post-secondary, community, adult, and adult vocational education;
 - l. Teaching and learning services, including services for students with special talents and special needs;
 - m. Employee personnel services; and
 - n. Purchase of equipment and services to accomplish the purposes set out above.

G. Financial Support. Financial support for the JPA programs and services shall be primarily derived from revenue generated from services provided by the JPA. The JPA may receive private, state, and federal financial support supplementing as available. No Founding Member shall have any additional liability for the debts or obligations of the JPA except the initial contribution and any other liability the Founding Member assumes under these by-laws. Associate Members shall have no liability to the JPA. Associate Members' financial support to the JPA shall be derived from any Membership Dues and the Administrative Fees earned by and paid to the JPA. Any contribution by a Founding Member may be repaid, at the discretion of the Board, from the revenues obtained by the JPA.

H. Ownership of Property. Any property acquired by the JPA's Board of Directors is public property to be used for essential public and governmental purposes which shall be exempt from all taxes and special assessments levied by a city, county, state, or

political subdivision thereof. If the JPA is dissolved, its property shall be distributed to the members at the time of dissolution.

I. Legal Action. The Board of Directors may prosecute in its name and defend or settle any action brought by or against it.

J. Public Corporation. The JPA is a public corporation and agency and its Board of Directors may make application for, accept, and expend private, state, and federal funds that are available for programs of the members. As a public corporation, no earnings or interest of the JPA may inure to the benefit of an individual or private entity.

K. Fees. The Board of Directors may make reasonable charges for its services rendered to members. The Board of Directors may also approve the use of administrative fees for purposes allowed by California law.

L. Insurance. The Board of Directors may procure insurance against liability of the Board and of its officers and employees for damages resulting from wrongful acts and omissions of the members, the Board, and its officers and employees, whether the acts or omissions relate to governmental or proprietary functions of the Board.

VI. MEETINGS AND MINUTES OF PROCEEDINGS

A. Meetings. The Board of Directors shall meet as it considers necessary, and hold at least three (3) regular meetings annually. The Board of Directors shall meet at the call of the President or any two (2) members of the Board.

- 1) An electronic agenda shall be sent to each member at least three (3) days prior to the regular meeting of the Board. Matters of emergency nature not on the agenda may be considered at the time of the meeting.
- 2) A quorum at any meeting of members of the Board shall consist of a majority of the elected Board of Directors.
- 3) The order of business at the board meetings shall be as follows:
 - a. Determination of a quorum and call to order.
 - b. Approval of minutes of previous meeting.
 - c. Public Comment
 - d. Approval of Agenda
 - e. Acceptance of Treasurer's report and approval of expenditures.
 - f. Consent Agenda.
 - g. Unfinished and old business.
 - h. New business.
 - i. Personnel Items.
 - j. Reports of the Executive Director and any special committees or advisory councils.
 - k. Presentation of written communications.
 - l. Adjournment.
- 4) The meetings of the Board at which official action is taken shall be public meetings and no person shall be excluded therefrom.

ED TECH JPA MASTER AGREEMENT

SECTION 15. ADMINISTRATIVE FEE

A. VENDOR agrees to pay ED TECH JPA an administrative fee (the “Administrative Fee”) calculated as four percent (4%) of the gross invoiced amount of any Participant agreement with VENDOR based on an award under the RFP, including any Additional Services, or agreement extensions or renewals. Vendors whose gross sales exceed two million dollars (\$2,000,000.00) each fiscal year may receive a discount and pay Administrative Fees as follows:

Sales Amount*	Administrative Fee**
\$2,000,000.00 - \$3,999,999.99	3.5%
\$4,000,000.00 and above	3%

*The fiscal year term is July 1 - June 30.

**Sales are the annual gross amount invoiced of any Participant Agreement with VENDOR based on an award under the RFP, including any Additional Services, or agreement extensions or renewals.

***Any discounted Administrative Fee shall be applied to Sales in the quarter after the minimum threshold has been met. Discounted Administrative Fees shall revert to four percent (4%) after the minimum threshold is no longer met.

For purchases made with federal funds, a different fee structure may apply. Computations of the Administrative Fee shall exclude state, local, or federal taxes levied on invoiced amounts. Unless otherwise stated herein, the Administrative Fee is not refundable to Participants or Vendors under any circumstances. In the event ED TECH JPA’s operating costs increase, the Administrative Fee is subject to an increase to offset such increased costs. Any increase shall be authorized by Ed Tech JPA’s Board of Directors (“Board”) and shall take effect on the day approved by the Board. Any increase shall be communicated to Vendors with no less than thirty (30) days notice from ED TECH JPA, and VENDOR shall be permitted to amend this MA to increase pricing in the attached Exhibit A in direct proportion to the adjusted Administrative Fee. Such amendment shall take immediate effect and apply to all Purchase Agreements executed after the execution date of the Amendment.

B. Administrative Fees shall be reported and payable at the end of each quarter as follows:

Reporting Period	Due Date
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31

October 1 - December 31	January 31
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- C. **VENDOR** must submit a check, payable to Education Technology Joint Powers Authority remitted to:
Ed Tech JPA
% Clovis Unified School District
Business Services Department
1450 Herndon Ave
Clovis, CA 93611
- D. The administrative fee shall not be included as an adjustment to **VENDOR's** Ed Tech JPA Master Agreement pricing.
- E. The administrative fee shall not be invoiced or charged to the Participating Associate Member.
- F. Payment of the administrative fee is due irrespective of payment status on orders or service contracts from Participating Associate Member.
- G. Any payments that a **VENDOR** makes or causes to be made to Ed Tech JPA after the due date as indicated on the Quarterly Report Schedule shall accrue interest at a rate of eighteen percent (18%) per annum or the maximum rate permitted by law, whichever is less, until such overdue amount shall have been paid in full. The right to interest on late payments shall not preclude Ed Tech JPA from exercising any of its other rights or remedies pursuant to this agreement or otherwise with regards to Vendor's failure to make timely remittances.
- H. Failure to meet administrative fee requirements and submit fees on a timely basis shall constitute grounds for suspension of this contract.