*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

**Guidance for Amending a Collaborative Agreement**

**April 2021**

Education collaboratives (collaboratives) are established through a written agreement between or among school committees and charter school boards. In accordance with M.G.L. c. 40, § 4E and 603 CMR 50.00, the collaborative agreement, as well as any amendments to such agreement, must be approved by the member school committees and/or charter school boards and by the Board of Elementary and Secondary Education (BESE). BESE has delegated to the Commissioner of Elementary and Secondary Education (commissioner), the authority to approve collaborative agreements and amendments to such agreements. From time to time, collaborative agreements may need to be revised due to a change in membership or to ensure that the agreement is consistent with current legal requirements or practices. This guidance is provided to assist collaborative and local school district officials with the amendment process.

Collaborative or local school district officials should contact the [Education Collaborative Team](mailto:educationcollaborativeteam@mass.gov) at the Department of Elementary and Secondary Education (Department) concerning the substance of any proposed amendment to the collaborative agreement and should consult with collaborative board (board) counsel to ensure that the proposed amended language meets the collaborative’s needs, as well as all provisions of the law and regulations, prior to requesting local member district approvals.

**Timelines for collaborative agreement amendment requests:**

The Department will consider most requests year-round, for an effective date in the current or subsequent fiscal year, depending on the amendment.

However, all amendments for the admission and withdrawal of member districts must comply with the following timeline:

* A school committee or charter school board may be admitted to, or an existing member district may withdraw from an education collaborative as of July 1st of any fiscal year, provided that all **requisite approvals** for such admission or withdrawal, including the commissioner’s or BESE’s approval, shall be obtained no later than the preceding April 30th.

**Procedures for collaborative agreement amendment requests:**

The Department manages the process of review for the commissioner and BESE. The steps outlined below must be followed to ensure a timely approval of an amended collaborative agreement that meets all provisions of law and regulation.

**Step 1: Request for Amendment to the Collaborative Agreement**

* Collaborative leaders should review their collaborative agreement to ensure that they are following the amendment procedures set forth in the agreement.

**Step 2: Notify the Department of an Amendment to the Collaborative Agreement**

* Collaborative leaders must contact the Education Collaborative Team to alert them that a proposed amendment to the collaborative agreement is being drafted.

**Step 3: Draft the Proposed Amended Agreement**

* The most recently approved collaborative agreement must be used as the starting point for drafting the proposed amended agreement.
* All changes must be proposed within the most recently approved collaborative agreement by using an editing/review feature that **tracks and shows** all additions and deletions.
* The proposed amended collaborative agreement (proposed amended agreement) must be submitted as a complete document, to ensure that the amended agreement clearly indicates all newly proposed changes.
* Use the Collaborative Agreement Checklist, provided in the **Appendix** contained in this document, to ensure the proposed amendment meets the requirements set forth in M.G.L. c. 40, § 4E and 603 CMR 50.00, and this guidance.

**Step 4: Department Review**

The proposed amended agreement must be submitted to the Department’s Education Collaborative Team for initial review prior to submitting it for approval by the collaborative’s member districts. This initial review will prevent unnecessary steps that may ensue should the member districts’ school committees and/or charter school boards vote to approve a proposed amended agreement that does not meet the requirements of the law, regulations, and Department guidance. The proposed amended agreement must include contact information of the designated local contact(s).

**Step 5: Department Feedback**

The Department will review the proposed amended agreement for compliance with M.G.L. c. 40, § 4E, 603 CMR 50.00, the collaborative agreement checklist, and this guidance. The Department’s Education Collaborative Team may request that a proposed amended agreement be revised and resubmitted to the Department for further review if it does not comply with the above-referenced law, regulations, and guidance. Once the Department is satisfied that the proposed amended agreement meets the requirements, as outlined above, the Department will inform the collaborative that it may forward the proposed amended agreement to the collaborative board and its member districts for approval.

**Step 6: Collaborative Board Approval**

Following the Department review, the proposed amended agreement must then be brought to the collaborative board for approval.

**Step 7: Member School District Approval**

Following the Department review and collaborative board approval, the proposed amended agreement must be forwarded to the member districts for approval, following the timelines and notification procedures outlined in the collaborative agreement. Consistent with the current agreement and by-laws, all member districts must be provided a copy of the proposed amended agreement, and their school committees and/or charter school boards must vote on the proposed amended agreement. The proposed amended agreement must be approved by the requisite number of member districts as specified in the collaborative agreement. M.G.L. c. 40, § 4E, and 603 CMR 50.00 prohibit member school committees and charter school boards from delegating the approval of a proposed amended agreement to any other person or entity.

**Step 8: Final Submission to the Department with Supplemental Documentation**

Once the amended agreement is approved by the collaborative board and the requisite number of member districts, a signed copy of the proposed amended agreement must be submitted to the Department for approval by the commissioner on behalf of BESE.

The designated local contact(s) must ensure the following supplemental information, as set forth in 603 CMR 50.03(5)(a), is included with the proposed amended agreement:

1. a notification and signatures from the chairpersons of the requisite number of member school committees and/or charter school boards, attesting to the date the vote was taken to approve the proposed amended agreement;
2. a current organizational chart with the administrative structure of the collaborative;
3. the names and positions of current appointed representatives to the collaborative board from each member district, including new member districts;
4. the collaborative by-laws, as applicable, or a statement that by-laws do not exist;
5. a description of the collaborative’s proposed program areas and services for the current year;
6. the current location(s) or planned location(s) of the collaborative administrative offices, program(s); and
7. any other information as required by the commissioner to clarify the intent or purpose of the collaborative.

**Step 9: Final Approval**

Upon recommendation, the commissioner, on behalf of BESE, shall approve or disapprove the proposed amended agreement, in accordance with the provisions of M.G.L. c. 40, § 4E and 603 CMR 50.00.

In general, the approved agreement shall take effect on July 1st , of the subsequent fiscal year, unless otherwise indicated.

**Step 10: Distribution of the Approved Amended Agreement**

Once the Commissioner has approved the agreement, on behalf of BESE, Department staff will return the approved amended agreement (approved agreement) to the collaborative’s designated local contact for distribution to member district school committees and/or charter school boards and posting to the collaborative’s website.

The designated local contact(s) must ensure that copies of the approved agreement are provided to all collaborative board members and member district school committee and/or charter school board chairpersons per 603 CMR 50.04 (2)(c).

**Specific Circumstances: Addition, Withdrawal or Removal of a Member District**

If the purpose of proposing to amend an agreement is to add, remove or permit the withdrawal of a member district, collaborative leaders must follow this guidance and the current collaborative agreement, with special consideration given to the additional steps noted below:

* Collaborative leaders must consult their agreement for the any additional procedures that must be followed.
* When an amended agreement provides for the admission of a new member district:
  + The school committee or charter school board of the prospective new member district must approve, and the chair of such body must sign, the amended agreement.
  + The requisite number of member school committees and/or charter school boards must approve, and the chairs of such bodies must sign, the amended agreement.
  + The collaborative board and the member districts must consider any agreement provisions related to buy-in or other specific requirements (e.g., use of space, dues, etc.) related to the admission of a new member district.
  + Upon the effective date of the admission, the new member school committee or charter school board must appoint a representative to serve on the collaborative board as a voting member. All appointed persons shall be either a school committee member, the superintendent of schools or a member of the charter school board, as outlined in the agreement
* When an amended agreement provides for the withdrawal of a member district:
  + The withdrawing member school committee or charter school board must vote to withdraw from the collaborative, following the timeline and process outlined in the collaborative agreement.
  + The requisite number of the remaining member school committees and/or charter school boards must approve, and the chairs of such bodies must sign, the amended agreement.
  + The collaborative board and the member districts must consider any agreement provisions concerning the payment of outstanding debts, distribution of assets of the collaborative, including surplus and capital reserve funds, and sharing or distribution of outstanding and future liabilities of the collaborative, related to the withdrawal of a member district.
* When an amended agreement provides for the removal of a member district for failure to adhere to the provisions of the approved agreement:
  + The requisite number of member school committees and/or charter school boards must approve the removal of a member district, and the chairs of such bodies must sign the amended agreement.
  + The amended agreement need not be signed by the member district that is being removed.
  + The collaborative board and member districts must consider any agreement provisions concerning the payment of outstanding debts, distribution of assets of the collaborative, including surplus and capital reserve funds, and sharing or distribution of outstanding and future liabilities of the collaborative, related to the removal of a member district.

**Additional Information**

For further information, please visit the Department’s Education Collaboratives [webpages](https://www.doe.mass.edu/edcollaboratives/) or contact the [Education Collaborative Team](mailto:educationcollaborativeteam@mass.gov).

**Collaborative Agreement Checklist**

Please use the following checklist to guide the creation or revision of your collaborative agreement.

| **Required components of the collaborative agreement** | **Related law/regulation(s)** | **Indicate Section of Agreement** |  |
| --- | --- | --- | --- |
| 1. Indicate the name of collaborative |  |  |  |
| 1. Cite the authorizing law and clearly acknowledge that no agreement or subsequent amendments shall take effect unless and until approved by the member school committees, member charter school boards, and by the Board of Elementary and Secondary Education upon the recommendation of the commissioner. | M.G.L. c. 40, § 4E(c). |  |  |
| 1. The agreement should be dated. It should be noted if an agreement is replacing/amending a prior agreement. |  |  |  |
| 1. The agreement must indicate that the collaborative has been formed by **two or more** school committees of cities, towns, and regional school districts and boards of trustees of charter schools. (The agreement must list member school committees and charter school boards; this must correspond to the school districts and charter boards whose chairs have signed the agreement.) | M.G.L. c. 40, § 4E(b); 603 CMR 50.03(1). |  |  |
| 1. State the mission, purpose, objectives, and focus of the collaborative.   *Note that 603 CMR 50.08(1)(c) requires that the annual report include “progress made toward achieving the objectives and purposes set forth in the collaborative agreement.”* | M.G.L. c. 40, § 4E(c)(1) and (e); 603 CMR 50.03(4)(b)1. |  |  |
| 1. Describe the program areas and services to be offered by the collaborative. | M.G.L. c. 40, § 4E(c)(2); 603 CMR 50.03(4)(b)2. |  |  |
| 1. Describe the powers and duties of the collaborative board of directors to operate and manage the educational collaborative. | M.G.L. c. 40, § 4E(c)(7); 603 CMR 50.03(4)(b)3. |  |  |
| 1. Address the governance of the collaborative. | 603 CMR 50.03(4)(b)4. |  |  |
| 1. Each member district shall annually appoint either a member of the school committee or charter school board or its superintendent of schools to be its appointed representative on the collaborative board of directors. | M.G.L. c. 40, § 4E(c); 603 CMR 50.04(1)(a).  The annual appointment is required by law and regulation. |  |  |
| 1. Include the conditions of membership, which may include:  * minimum attendance requirements, including consequences for failure to attend meetings; * consequences for failure of a member district to meet the terms of the collaborative agreement; * consequences for failure to attend training as required by 603 CMR 50.05(3) and 50.12(3); and/or * whether districts will be assessed membership dues. | M.G.L. c. 40, § 4E(c)(3); 603 CMR 50.03(4)(b)5. |  |  |
| 1. Include the financial terms for member districts and non-member districts, including any non-member surcharge or fee. | M.G.L. c. 40, § 4E(c)(3); 603 CMR 50.03(4)(b)6. |  |  |
| 1. State that the collaborative board shall establish and manage an education collaborative fund. All monies paid by the member districts and non-member districts and all grants or gifts from the federal government, state government, charitable foundations, private corporations, or any other source shall be paid to the collaborative board of directors and deposited in the fund. The treasurer of the collaborative, subject to the direction of the collaborative board of directors, shall receive and disburse all money belonging to the collaborative without further appropriation*.* | M.G.L. c. 40, § 4E(c);  603 CMR 50.07(2).  The establishment of a education collaborative fund is required by law and regulation. |  |  |
| 1. Outline the detailed procedure for the preparation and adoption of an annual budget, tuition rates, membership dues, and fees-for-service. Include a timeline for the treasurer to certify and transmit the budget, tuition rates, membership dues, and fees-for-service for the upcoming fiscal year to each member district.   *Note that the regulations contain additional requirements concerning the budget.* | M.G.L. c. 40, § 4E(c)(4); 603 CMR 50.03(4)(b)7 and 8; 603 CMR 50.07(5)(a) and (6)(b).  603 CMR 50.07. |  |  |
| 1. State that the collaborative board shall approve, by at least a majority vote, the collaborative budget for the upcoming fiscal year, consistent with regulatory timelines. | 603 CMR 50.07(6)(a).  Certain aspects of creating the annual budget are required by law and regulation. |  |  |
| 1. Include a timeline and process for amending the budget, tuition rates, membership dues, and fees-for-service.   *Note that regulations require that amendments to increase the tuition rates, administrative dues, fees and/or surcharges shall be approved by the board of directors and provided to the member districts in accordance with a timeframe and process outlined in the collaborative agreement.* | 603 CMR 50.03(4)(b)8.  603 CMR 50.07(7). |  |  |
| 1. Include the method and timeline for notification and payment of tuition, membership dues, surcharges, and fees-for-service. | 603 CMR 50.03 (4)(b)9. |  |  |
| 1. Include a limit, not to exceed 25 percent, on the amount of cumulative surplus that may be held by the collaborative at the end of the fiscal year.   *Note the regulations require that the collaborative board of directors shall annually approve, by majority vote, the dollar amount designated as cumulative surplus. The board of directors shall vote annually to retain the cumulative surplus funds for the collaborative’s use or return all, or some portion, of the funds to the member districts.* | M.G.L. c. 40, § 4E(c)(3); 603 CMR 50.03(4)(b)10.  603 CMR 50.07(9). |  |  |
| 1. Address how and under what conditions surplus funds may be returned to member districts or credited to support collaborative programs and services offered to member districts. | 603 CMR 50.03(4)(b)11; 603 CMR 50.07(9). |  |  |
| 1. Address how surplus funds will be allocated to member district(s) upon the withdrawal of a member district(s) or the termination of the collaborative. | 603 CMR 50.03(4)(b)11; 603 CMR 50.07(9). |  |  |
| 1. Include a procedure for the review and approval of any borrowing, loans, mortgages, or acquisition of real property.   *Note that the law and regulations require that the collaborative board ensure that any borrowing, loan, or mortgage is cost-effective, necessary to carry out the purposes for which the collaborative is established, in the best interests of the collaborative and its member districts, consistent with the terms of the collaborative agreement, and consistent with standard lending practices.* | M.G.L. c. 40, § 4E(c); 603 CMR 50.03(5)(b)12.  M.G.L. c. 40, § 4E(c); 603 CMR 50.04(3)(d). |  |  |
| 1. Describe the method of termination of the educational collaborative including:   (a) The procedure for apportioning assets and liabilities upon the termination of the collaborative or the withdrawal of a member district.  (b) the required number of affirmative votes required by the collaborative board and the member districts. | M.G.L. c. 40, §E(c)(5); 603 CMR 50.03(4)(b)13, 14;  603 CMR 50.11(2)(a). |  |  |
| 1. Describe the process for amending the collaborative agreement. | M.G.L. c. 40, § 4E(c)(6); 603 CMR 50.03(3) and (4)(b)16. |  |  |
| 1. Describe the procedure for the admission and withdrawal of member districts.   *Note: All amendments for the admission or withdrawal of member districts shall comply with the following timeline:* “*A school committee or charter school board may be admitted to, or an existing member district may withdraw from, an educational collaborative as of July 1 of any fiscal year, provided that all requisite approvals for such admission or withdrawal, including the Board’s approval, shall be obtained no later than the preceding April 30. The authorizing votes may provide for the deferral of said admission or withdrawal until July 1 of a subsequent fiscal year.”*  *“Following the approval for admission to an educational collaborative and continuing until the actual date of such admission, the school committee or charter school board may designate a non-voting representative to the collaborative board of directors.”* | M.G.L. c. 40, § 4E(c)(5) and (6); 603 CMR 50.03(4)(b)15.  603 CMR 50.03(3)(b)1.  603 CMR 50.03(3)(b)2. |  |  |
| 1. Notification and signatures from the chairs of the school committees/charter school boards of the member districts. Please leave a space for the signature of the commissioner of ESE. | 603 CMR 50.03(5)(a)1. |  |  |
| **Recommended components of the collaborative agreement: clearly state, for any and all interested parties, the responsibilities and rights afforded to the collaborative board of directors.** | **Related law/regulation(s)** |  |  |
| 1. Highlight key responsibilities of appointed representatives, and the board for example:  * each collaborative board member shall complete the required training provided or approved by the Department within 60 days of the board member’s initial appointment; * each appointed representative shall be responsible for providing information to the representative’s appointing member district(s) as outlined in M.G.L. c. 40, § 4E and the implementing regulations. | M.G.L. c. 40, § 4E(c);  603 CMR 50.04(2) and (3); 603 CMR 50.05. |  |  |
| 1. Stipulate that meetings of the board of directors *shall occur at* least six *(6)* times annually. | M.G.L. c. 40, § 4E(c) requires that the board meet at least six times annually.  This language is recommended so that signatories to the agreement make a commitment and clearly understand the requirements. |  |  |
| 1. Specify that public notice be given of the date, time, and location of all meetings in accordance with the law pertaining to the open meetings of state governmental bodies. Indicate that detailed, accurate records of every meeting be adopted and kept in accordance with the law pertaining to the open meetings of governmental bodies and made available on the collaborative website. | M.G.L. c. 30A, §§ 18-25, the Open Meeting Law, requires public notice of meetings and requires that detailed accurate records of meetings be adopted and retained.  This language is recommended so that signatories to the agreement make a commitment and clearly understand the requirements. |  |  |
| 1. State that collaborative board members and employees shall be public employees subject to M.G.L. c. 268A. | M.G.L. c. 268A requires compliance with the conflict of interest law; this is restated in 603 CMR 50.12(2).  This language is recommended so that signatories are aware of the requirements. |  |  |
| 1. Explicitly state that member districts shall not delegate the authority to approve collaborative agreements or amendments to the collaborative agreement to any other person or entity. | M.G.L. c. 40, § 4E(c) and 603 CMR 50.03(5)(d) prohibit delegation of these duties.  This language is recommended because it might result in a change in practice for your member districts and/or collaborative. |  |  |
| 1. Explicitly state that the appointed representative shall not delegate his/her powers or send a representative in his/her place as a voting member. | 603 CMR 50.04(2)(f) prohibits the delegation of the appointed representative’s duties.  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the collaborative board of directors shall establish policies to support the operation of the educational collaborative and shall review the effectiveness of such policies to ensure currency and appropriateness.   *Note that “in addition to other requirements of law, at a minimum, the collaborative board of directors shall develop and maintain policies relative to personnel, students, finance and internal controls, and health and nursing.”* | 603 CMR 50.04(3)(c).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the collaborative board shall:   (1) hire an executive director to oversee collaborative programs and services, and  (2) annually evaluate the executive director’s performance and effectiveness in implementing the programs, policies, and goals of the collaborative.  The executive director shall serve under the general direction of the collaborative board and shall be responsible for managing and supervising the educational collaborative. | 603 CMR 50.06(3) includes these requirements.  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the collaborative board of directors shall hire or appoint a treasurer to: 2. manage all receipts and disbursements through the education collaborative fund, and 3. perform such duties as are required by the collaborative board of directors and authorized by M.G.L. c. 40, § 4E and the implementing regulations.   The collaborative board of directors shall annually evaluate the treasurer’s performance and effectiveness. | M.G.L. c. 40, § 4E(c);  603 CMR 50.06(5).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the collaborative board shall hire a business manager or an employee with responsibilities similar to those of a town accountant who shall be subject to M.G.L. c. 41, § 52 and who shall not be eligible to hold the office of treasurer of the collaborative.   The regulations also require that the collaborative board of directors ensure an annual evaluation of such employee’s performance and effectiveness. | M.G.L. c. 40, § 4E(c); 603 CMR 50.06(4).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that there must be segregation of duties between the executive director, treasurer, and business manager. | 603 CMR 50.06(2)(a).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that no appointed representative on the collaborative board of directors shall be eligible to serve in the positions of executive director, treasurer, or business manager or person with responsibilities similar to those of a town accountant. | 603 CMR 50.06(2)(b).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that no employee of the collaborative may serve on the board of directors of the educational collaborative or shall be eligible to serve concurrently on in the positions of treasurer, or business manager or person with responsibilities similar to those of a town accountant. | 603 CMR 50.06(2)(c).  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. Indicate that the collaborative shall establish and maintain an internet website in accordance with M.G.L. c. 40, § 4E that shall include at a minimum:  * a list of the appointed representatives on the collaborative board of directors; * copies of the minutes of open meetings held by the collaborative board of directors; * a copy of the collaborative agreement and any amendments; * a copy of the annual report and independent audit required in 603 CMR 50.08; and * contact information for key educational collaborative staff members. | M.G.L. c. 40, § 4E(i) and 603 CMR 50.04(3)(b) require collaborative websites and establish minimum requirements.  This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the board shall ensure that an annual report for the preceding fiscal year be prepared, and upon approval by the collaborative board and no later than January 1 of each year, submit such report to the commissioner and the chair of each member district.   *Note that the collaborative must make the annual available on the collaborative’s website and that the collaborative must provide a printed hard copy of the most recent annual report to members of the public upon request.* | M.G.L. c. 40, § 4E(e);  603 CMR 50.08(1).  This language is recommended so that signatories are aware of these requirements.  M.G.L. c. 40, § 4E(e);  603 CMR 50.04(3)(b). |  |  |
| 1. State that the board shall ensure that the collaborative shall annually prepare financial statements, including:  * a statement of net assets (government-wide); * a statement of activities (government-wide); * a governmental funds balance sheet; * a governmental funds statement of revenues, expenditures, and changes in fund balance; * a general fund statement of revenues, expenditures and changes in fund balance, budget and actual; * a statement of fiduciary net assets; * a statement of changes in fiduciary fund net assets; and * a capital plan identifying current capital obligations or future planned capital projects. | 603 CMR 50.07(11). |  |  |
| 1. State that the board shall ensure that an independent audit is completed annually, and, upon approval by the board and no later than January 1 of each year, submit the audit report for the preceding fiscal year to the chair of each member district, the commissioner and state auditor.   *Note that the audit report must be made available on the collaborative’s website and must be provided*. | M.G.L. c. 40, § 4E(d) and (e); 603 CMR 50.08(2).  603 CMR 50.04(3)(b). |  |  |
| 1. State that the collaborative shall adopt and maintain a financial accounting system, in accordance with generally accepted accounting principles as prescribed by the governmental accounting standards board and any supplemental requirements prescribed jointly by the commissioner of elementary and secondary education and the commissioner of revenue, in consultation with the state auditor. At a minimum, the financial accounting system shall delineate:    1. administration and overhead;    2. rental of real property;    3. program costs;    4. capital expenditures, including fixed assets, real property, or the improvement of real property;    5. debt payments;    6. deposits into a capital reserve; and    7. all additional disclosures required in 50.08(2). | M.G.L. c. 40, § 4E(d);  603 CMR 50.07(1).  The financial accounting system, and compliance with the requirements of the above law and regulation, will be reflected in the required annual audit submissions. This language is recommended so that signatories are aware of these requirements. |  |  |
| 1. State that the collaborative, acting through its board of directors, may, subject to chapter 30B, enter into contracts for the purchase of supplies, materials and services and for the purchase or leasing of land, buildings and equipment as considered necessary by the board of directors. | M.G.L. c. 40, § 4E(h);  603 CMR 50.07(4). |  |  |
| 1. State that the collaborative board of directors may apply, through an appropriate vote, for state, federal, corporate or foundation grants, and may enter into contracts to obtain the funds necessary to carry out the purpose for which the collaborative was established. | 603 CMR 50.07(3). |  |  |
| 46. State that with respect to Related Organizations:   * No appointed representative shall serve on the board of directors or as an officer or employee of a related for-profit or non-profit organization. * The executive director, treasurer, and business manager shall not serve as a board member, officer, or employee of any related for-profit or non-profit organization. * No employee of an educational collaborative shall be employed at any related for-profit/non-profit organization. | 603 CMR 50.12(3)(a)-(c).  This language is recommended because this is a new requirement of the law and regulations. |  |  |
| 1. State that a collaborative that has received a notice of intent to revoke approval of its agreement shall immediately begin planning for termination of the collaborative by providing notice to member districts and non-member districts. | 603 CMR 50.10(3)(e). |  |  |

## **Other Submission Requirements**

A proposed collaborative agreement or proposed amendment to a collaborative agreement shall be submitted to the Department’s Education Collaborative Team for initial review, prior to its approval by the member districts. The proposed agreement or amendment must be submitted to the Department with this completed checklist.

After the Department’s review of the proposed agreement or amendment has been completed, it must be submitted for local approval by the member district school committees and or charter school boards of trustees. Upon approval by the member districts in accordance with 603 CMR 50.03 and the current collaborative agreement, it shall be submitted to the commissioner for final approval, on behalf of BESE and shall include the following supplemental documentation as set forth in 603 CMR 50.03(5)(a):

* 1. a notification and signatures from the chairpersons of requisite number of member school committees and/or charter school boards, attesting to the date the vote was taken to approve the proposed new or amended agreement;
  2. a current organizational chart with the administrative structure of the collaborative;
  3. the names and positions of current appointed representatives to the collaborative board of directors from each member district, including new member districts;
  4. the collaborative by-laws, as applicable, or a statement that by-laws do not exist;
  5. a description of collaborative’s proposed program areas and services for the current year;
  6. the current location(s) or planned location(s) of the collaborative administrative offices, program(s); and
  7. any other information as required by the commissioner to clarify the intent or purpose of the collaborative.