

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: H. P. 705, L. D. 948

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1684

H. P. 1285

House of Representatives, April 22, 1971

Reported by Mr. Woodbury from Committee on Education and printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Permitting Agreements Among Units for Cooperative
Educational Purposes.**

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 20, §§ 309, 309-A, 309-B, additional. Title 20 of the Revised Statutes is amended by adding 3 new sections, 309, 309-A and 309-B, to read as follows:

§ 309. Cooperative agreements funded partly through local appropriation

The school committees or boards of directors of various administrative units may file an application with the State Board of Education for the purpose of entering a cooperative agreement to carry out a specified educational function. The application shall be in a form and containing such information as required by the board. An agreement so applied for shall be prepared by the board and shall be submitted to the citizens of each unit for acceptance or rejection. The meetings in towns shall be called in accordance with Title 30, section 2052, and the voting at meetings held in towns shall be conducted in accordance with Title 30, sections 2061 to 2064, even though the town has not accepted the provisions of said section 2061. The meetings in School Administrative Districts shall be called in accordance with section 225. In the case of cities, the acceptance or rejection of the agreement shall be by the legislative body. If the agreement is approved by a majority vote of those voting in each of the units involved, the board shall issue a certificate to a cooperative board as defined. The agreement prepared by the board shall specify the specific educational functions to be accomplished, the method of sharing

costs in carrying out the functions, the number of board members which represent each unit on the cooperative board, and other specifications which may be necessary for a specific agreement. Membership on the cooperative board shall consist of the superintendents of schools of the participating units and board members chosen from each school committee or board of directors by its membership.

A cooperative board shall have the right to accept and administer federal funds for the specific educational function which is authorized. The cooperative board shall annually determine the cost of carrying out the specific educational function and shall submit the proposed budget to the boards of directors and school committees of each administrative unit involved in the cooperative educational function. When the budget of the cooperative board has been approved by a majority vote of the full membership of the boards of directors and school committees involved in the cooperative agreement, each administrative unit shall place in its school budget and shall appropriate for use of the cooperative board its share of the approved budget under the terms set out in the cooperative agreement. If an administrative unit fails to appropriate funds for the cooperative board, the cooperative board shall be considered as dissolved. It shall cease functioning at the end of the school year. Any remaining funds shall be returned to the administrative units on a pro rata basis.

§ 309-A. Cooperative agreements funded with nonlocal revenues

The boards of directors and school committees of any 2 or more administrative units may enter into a cooperative agreement with the approval of the State Board of Education for the purpose of carrying out specific educational functions if revenues from local sources are not required to carry out the program. The superintendents of schools in the administrative units shall jointly call one or more joint meetings of the board of directors or school committees of the respective administrative units, or both, to set up the terms and conditions under which the specific educational functions shall be accomplished. If the agreement is approved by a majority vote of the board of directors or school committee of each administrative unit, then each board of directors or school committee shall elect 2 of its members and its superintendent of schools to a cooperative board which shall carry out the following duties in addition to those spelled out in the cooperative agreement. It shall be the duty of the cooperative board to apply for and receive federal or other grants to carry out specific educational functions. It shall be the duty of the cooperative board to oversee the administering of grants received in accordance with established guidelines and within the policies set by the cooperative board.

§ 309-B. Officials and reports

A cooperative board shall annually elect a chairman, vice-chairman, secretary and treasurer who shall also be an executive committee to approve payrolls and otherwise carry out the directions of the cooperative board. The secretary shall keep accurate records of all meetings of the board. The treasurer shall render account of all funds received and of all bills paid at the

direction of the cooperative board and shall annually cause an audit of the accounts to be accomplished. Said audit shall be filed with the chairman of the cooperative board and with the State Board of Education. The cooperative board shall file semiannual progress reports with the boards of directors or school committees of the individual units involved in the cooperative board, or both, setting out the educational progress and the financial status of the cooperative venture in accordance with the terms of the cooperative agreement.