

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1796

H. P. 1576

House of Representatives, May 20, 1977

Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25. Referred to Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of South Berwick.

Cosponsors: Messrs. Valentine of York, McPherson of Eliot and Mrs. Durgin of Kittery.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Provide for Regional Special Education Compacts.

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

20 MRSA c. 404-A is enacted to read:

CHAPTER 404-A

REGIONAL SPECIAL EDUCATION COMPACTS

§ 3151. Regional special education compacts

1. Policy. It is the declared policy of the State to encourage the development of regional special education compacts between administrative units to provide greater educational opportunities for exceptional children.

2. Definition. The governing board of a school administrative unit may enter into a regional special education compact with the governing board of any other unit or units. The purpose of the compact shall be to operate regional special education programs and to provide special education services to the member units consistent with the requirements of chapter 404.

§ 3152. Formation of regional special education compact

1. Vote of governing board. The governing board of an administrative unit shall vote whether to enter into a regional special education compact with any other unit or units.

2. State Board of Education approval. A regional special education compact shall be subject to approval by the State Board of Education. An application for approval shall be addressed to the commissioner and shall include a copy of the proposed bylaws and a description of the goals and objectives of the proposed compact.

3. Bylaws. Bylaws for a regional special education compact shall be adopted by the governing boards of the administrative units seeking to form a compact and shall specify:

- A. The method of sharing costs;
- B. The method of withdrawing from the agreement;
- C. The functions to be performed by the regional compact; and
- D. The method for allowing additional units to be added to the compact.

§ 3153. Operation and administration

1. Governing body. The governing body of the regional special education compact shall be the combined governing bodies of the member administrative units and the superintendents of those units.

2. Meetings. The governing body of the regional special education compact shall meet annually to:

- A. Set an operating budget; and
- B. Elect an executive committee of superintendents and representative members from each of the governing bodies of the member administrative units.

3. Executive committee. The executive committee of the regional special education compact shall administer and oversee the activities of the compact.

§ 3154. Legal status of a regional special education compact

1. Quasi-municipal corporation. A regional special education compact is declared to be a quasi-municipal corporation.

2. Administrative unit. A regional special education compact shall be a school administrative unit for the purpose of receiving state funds.

§ 3155. State and federal funds.

A regional special education compact may accept and administer state and federal special education funds which the member administrative units would otherwise be entitled to receive.

§ 3156. Property

A regional special education compact shall have the right to acquire, lease, hold and dispose of real and personal property used in meeting the goals and objectives of the compact.

STATEMENT OF FACT

This bill establishes a mechanism for local administrative units to enter into a compact for the purpose of delivering special education services.

The compact shall be called a regional special education compact. It shall be considered as a quasi-municipal corporation and shall be considered a school administrative unit. It shall have the right to accept and administer state and federal special education funds.