

### §3801. General provisions

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Municipality" means a city, town or organized plantation. [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]

B. "Education service center" means a multiservice agency established and operated exclusively for the purposes of developing, managing and providing services or programs to 2 or more members pursuant to section 3802, subsection 2 and may include associate members pursuant to section 3802, subsection 3. An "education service center" is a political subdivision pursuant to section 3802, subsection 7. [PL 2019, c. 219, §2 (AMD).]

[PL 2019, c. 219, §2 (AMD).]

**2. Establishment.** A school administrative unit as described in section 3802, subsection 2 may become a member of an education service center through an interlocal agreement pursuant to Title 30-A, chapter 115 and the agreement may include associate members as described in section 3802, subsection 3.

[PL 2019, c. 219, §2 (AMD).]

**3. Interlocal agreement.** An interlocal agreement establishing an education service center must include the structure and governance of the education service center and its functions, programs and services.

A. An interlocal agreement must include the specifications required pursuant to Title 30-A, section 2203, subsection 2 and a description of:

- (1) The education service center board composition, election or appointment of officers, board member terms and method of voting;
- (2) An approval process for a new school administrative unit to join the education service center;
- (3) An approval process for an existing member to transfer to another education service center;
- (4) The process for determining the sharing of costs for and the assessments of or payments to the education service center;
- (5) The budget process that requires an education service center budget be adopted by a date established in order to meet local school administrative unit budget deadlines. The budget process must include a contingency plan for a budget failure and must be in the cost center summary budget format pursuant to section 1485;
- (6) The process for a balanced budget as required by section 3802, subsection 10 and the method of determining the return of any excess funds to the members of the education service center; and
- (7) The process for the disposition of indebtedness and property including by sale or lease, transferred to or from or administered by the education service center. [PL 2019, c. 219, §2 (AMD).]

B. An interlocal agreement may include but is not limited to a description of the following:

- (1) The approval process for the formation of an education service center;
- (2) Any associate members, the process for including associate members and their roles in the education service center;
- (3) The process to authorize the education service center to borrow funds for school construction purposes including bonds and notes;

- (4) The process to approve the purchase or lease of buildings or land by the education service center;
- (5) The process by which an education service center may establish, maintain and expend funds from a reserve fund or contingency fund;
- (6) The process of hiring an executive director or contracting services for leadership for the education service center; and
- (7) A transition plan to move authorized programs and services from a member to the education service center. [PL 2019, c. 219, §2 (AMD).]

An interlocal agreement cannot transfer a school administrative unit's responsibility for providing the opportunity of a free public education to each of its students or a free, appropriate education to each of its students with a disability as required by this Title or by federal law.

[PL 2019, c. 219, §2 (AMD).]

**4. Duties of education service center.** An education service center's functions, programs and services may include but are not limited to the following:

- A. Accounting, payroll and financial management services and procurement; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- B. Transportation, transportation routing and vehicle maintenance; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- C. Reporting functions; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- D. Special education programs and administration; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- E. Gifted and talented programs and administration; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- F. Alternative education programs and administration; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- G. Substitute teachers and staff augmentation; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- H. Technology and technology support; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- I. Food service planning and purchasing; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- J. Energy management and facilities maintenance; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- K. [PL 2019, c. 70, §3 (RP).]
- L. Staff training and professional development; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- M. Shared educational programs or staff; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- N. Shared support service programs; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- O. Educational programs such as summer school, extended school year, tutoring, advanced placement and other programs that serve students and improve student achievement; [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- P. Shared extracurricular or cocurricular programs; and [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]
- Q. Superintendent services. [PL 2017, c. 284, Pt. VVVVV, §6 (NEW).]

[PL 2019, c. 219, §2 (AMD).]

## SECTION HISTORY

PL 2017, c. 284, Pt. VVVVV, §6 (NEW). PL 2019, c. 70, §3 (AMD). PL 2019, c. 219, §2 (AMD).

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