

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 1459 (Delegate Morhaim)
Ways and Means

Education - Cooperative or Joint Administration of Programs

This bill requires that in each county, representatives of the local board of education and of the county government annually meet and confer to evaluate areas or functions that are conducted in a cooperative or collaborative fashion and consider additional areas or functions in which cooperative agreement or collaboration may be mutually beneficial. Meeting participants must maintain a summary of the topics that are discussed during the meeting; on specified decisions that are made about cooperative or joint administration of programs; and on topics that are raised but not resolved.

Fiscal Summary

State Effect: None.

Local Effect: County governments and local boards of education can convene annual meetings using existing resources.

Small Business Effect: None.

Analysis

Current Law: A local school board is authorized to enter into an agreement for the cooperative or joint administration of one or more specified types of programs with one or more local school boards, other educational institutions or agencies, and boards of county commissioners or county councils. Such an agreement may relate to personnel, purchasing, accounting, data processing, printing, insurance, building maintenance, and transportation. If the agreement establishes a separate administrative entity to conduct or administer the joint or cooperative undertaking and that administrative entity has certain

powers (*e.g.*, to employ individual and to receive and spend money), the agreement must specify certain details (*e.g.*, the duration of the agreement and the purpose, organization, composition, and nature of any separate administrative entity that is established.) Any such administrative entity is limited to administering programs and exercise authorities that are specifically delegated to the entity by the public bodies that are party to the agreement.

A cooperative or joint agreement generally does not relieve a local school board or other party to the agreement of its legal obligations and responsibilities. The agreement for cooperative or joint agreement must be approved by the county governing body and submitted to the Attorney General. If the Attorney General finds the agreement is not in proper form or does not conform to State law, the Attorney General must detail in writing to the governing body of each public agency involved as to how the proposed agreement fails to meet legal requirements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Harford County, Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - March 14, 2013
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