MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1622

S.P. 578

In Senate, January 5, 1994

An Act to Enhance and Improve the Special Education Complaint Management Process.

Submitted by the Department of Education pursuant to Joint Rule 24. Reference to the Committee on Education suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator AMERO of Cumberland.

2	be it enacted by the People of the State of Maine as follows:
2 4	Sec. 1. 20-A MRSA §7206, sub-§§1-A and 1-B, as enacted by PL 1989, c. 69, §2, are repealed.
6	<pre>Sec. 2. 20-A MRSA §7206, sub-§2, as amended by PL 1989, c. 69, §3, is further amended to read:</pre>
8 10 12	2. Investigation; written report. The commissioner shall initiate, and complete within 45 60 days, an investigation and a written report.
14	AOn-receipt-of-a-complaint-and-the-determinations-set-out in-subsection-1-A;-or
16	BIf-the-commissioner-has-reason-to-believe-that-a-unit-is not-in-compliance-with-this-chapter-
18 20	Sec. 3. 20-A MRSA §7206, sub-§3, as amended by PL 1989, c. 69, §4, is repealed.
22	Sec. 4. 20-A MRSA §7206, sub-§4, as enacted by PL 1981, c.
24	4. Appeal. An interested party may appeal the
26	commissioner's order to the Superior-Court-under-the-Maine-Rules of-CivilProcedure,Rule-80B United States Department of
28	Education. The second of the s
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32	STATEMENT OF FACT
34	As a result of amendments to the Individuals with Disabilities Education Act, the United States Department of
36	Education, Office of Special Education Programs has required participating states through regulations, program plans and
38	monitoring visits to revise laws and rules pertaining to the management of complaints alleging noncompliance with federal
40	requirements. This bill allows the Department of Education to comply with the complaint management process requirement of the
42	federal law.
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48	This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical

amendments to conform existing law to current drafting standards.

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