

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1638

8 H.P. 1131

House of Representatives, May 31, 1985

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 27.

11 Referred to the Committee on Appropriations and Financial Affairs. Sent
up for concurrence and ordered printed. Ordered sent forthwith.

EDWIN H. PERT, Clerk

Presented by Speaker Martin of Eagle Lake.

12 Cosponsored by President Pray of Penobscot, Senator Gill of
Cumberland and Representative Carter of Winslow.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT Concerning Transitional Services for
19 Handicapped Persons Beyond School Age.
20

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

23 Sec. 1. 20-A MRSA §7202, sub-§4, as enacted by
24 PL 1981, c. 693, §§5 and 8, is amended to read:

25 4. Plan. Submit a plan for its special educa-
26 tion programs to the commissioner for approval in ac-
27 cordance with rules established by the commissioner.
28 Starting in 1986, these plans shall include, in addi-
29 tion to the previously requested information, a de-
30 scription of how each student will have their inde-
31 pendent living skills assessed and needs programmed
32 for by the age of 12 and vocational assessment and
33 training needs met by age 14;

34 Sec. 2. 20-A MRSA §7202, sub-§8, as amended by
35 PL 1983, c. 327, §1, is further amended to read:

1 8. Facility construction, renovation and repair.
2 Seek approval in advance from the commissioner for
3 construction, renovation or repair, with or aided by
4 public funds, of facilities intended for the educa-
5 tion of exceptional students; or give assurances that
6 other facilities in the school administrative unit
7 are adequate to meet the needs of those students; ~~and~~

8 Sec. 3. 20-A MRSA §7202, sub-§9, as enacted by
9 PL 1983, c. 327, §2, is amended to read:

10 9. Securing parental permission. For the Pro-
11 tection and Advocacy Agency for the Developmentally
12 Disabled in Maine conducting studies pursuant to Ti-
13 tle 22, chapter 961:

14 A. Assist the agency in its studies; and

15 B. Facilitate access to relevant case records
16 by:

17 (1) Notifying parents or guardians of the
18 study; and

19 (2) Requesting parental consent for the
20 agency to have access to case records-; and

21 Sec. 4. 20-A MRSA §7202, sub-§10 is enacted to
22 read:

23 10. Transitional school leaving plan. Provide
24 an educational evaluation and diagnosis no later than
25 2 years preceding an exceptional student's graduation
26 or becoming age-ineligible for school under section
27 7001, subsection 2, paragraph B or deciding to leave
28 school under section 5001.

29 A. This evaluation and diagnosis shall assess
30 the student's short-term and long-term needs for
31 academic, vocational and life skill training and
32 support.

33 B. This evaluation and diagnosis shall invite
34 other state and local resources to become in-
35 olved in the development of recommendations to
36 meet these needs.

1 C. This evaluation and diagnosis shall include a
2 recommendation as to the agency which shall as-
3 sume responsibility for following up and initiat-
4 ing reviews of the student's needs until the
5 goals of the plan are met.

6 D. For students who are covered by this section
7 who are still under the age limits specified in
8 section 7001, subsection 2, paragraph B and who
9 have educational, vocational education or life
10 skill training needs which could be met by exist-
11 ing school programs, schools may enroll the stu-
12 dent in these programs where space is available
13 and include the costs or attendance count on a
14 prorated basis under chapter 606.

15 E. Where appropriate, adult education programs
16 shall be expended to meet the unmet needs of
17 these students.

18 Sec. 5. 20-A MRSAs §7204, sub-§§5 and 6, as en-
19 acted by PL 1981, c. 693, §§5 and 8, are amended to
20 read:

21 5. Due process. Shall:

22 A. Adopt or amend rules to assure and protect
23 the rights of due process for exceptional stu-
24 dents; and

25 B. Inform and train each school administrative
26 unit on exceptional students' rights to due pro-
27 cess under state laws and rules and federal law
28 and regulations; ~~and~~

29 6. Technical assistance. May, on the request of
30 a school administrative unit, provide technical as-
31 sistance in the formulation of a plan or subsequent
32 report required of all administrative units. Assist-
33 ance shall not be designed to transfer the responsi-
34 bility for or actual development of the plan or re-
35 port. By July 1, 1986, the technical assistance pro-
36 vided shall include model curriculums and materials
37 covering life and work skills; and

38 Sec. 6. 20-A MRSAs §7204, sub-§7 is enacted to
39 read:

1 7. Tracking system. Shall develop a system for
2 tracking special education students for 3 years after
3 they leave school. The tracking system shall collect
4 data which the commissioner shall analyze and use to
5 develop reports to aid the department and school ad-
6 ministrative units and other community service agen-
7 cies to develop educational and other services to
8 meet the needs of these students.

9 Sec. 7. 20-A MRSA §7209 is enacted to read:

10 §7209. Interdepartmental committee; established; du-
11 ties

12 There is established an interdepartmental commit-
13 tee composed of representatives of the Department of
14 Educational and Cultural Services, the Department of
15 Human Services, the Department of Mental Health and
16 Mental Retardation and the Department of Labor. The
17 representatives from each department shall be ap-
18 pointed by the commissioners of that department. The
19 committee shall coordinate the post-secondary ser-
20 vices for handicapped young adults no longer eligible
21 for public school programs due to having reached
22 their 20th birthday. The duties of the committee
23 shall include, but shall not be limited to, the fol-
24 lowing:

25 1. Integrate existing cooperative agreements.
26 To integrate existing cooperative agreements, includ-
27 ing the addition of new agencies to the cooperative
28 agreements, to more efficiently carry out the pur-
29 poses of this section;

30 2. Assess the needs of the target population.
31 To assess the needs of the target population and to
32 establish a plan to meet those needs;

33 3. Monitor and evaluate plans to aid transition.
34 To monitor and evaluate any plans developed to aid
35 the transition of these handicapped young adults from
36 school life to community living;

37 4. Assign a lead agency. To assign a lead agen-
38 cy for the coordination of services to each young
39 adult;

1 5. Centralize the grievance process. To cen-
2 tralize the grievance process;

3 6. Develop resources. To develop resources to
4 respond to the needs of the target population, in-
5 cluding applications for federal grant proposals and
6 funding of local projects; and

7 7. Coordinate interagency training. To coordi-
8 nate interagency training.

9 Sec. 8. 20-A M RSA §8306, sub-§2, ¶¶C and D, as
10 enacted by PL 1981, c. 693, §§5 and 8, are amended to
11 read:

12 C. A description of the programs to be offered;
13 and

14 D. A description of the areas and locations to
15 be served; and

16 Sec. 9. 20-A M RSA §8306, sub-§2, ¶E is enacted
17 to read:

18 E. A description of the vocational programs
19 needed for handicapped students and a plan to
20 meet these needs by 1990. The programs shall em-
21 phasize, where applicable, flexible, community
22 based or satellite programs and coordination with
23 other federal, state and local service providers.

24 Sec. 10. 20-A M RSA §8607, sub-§4, as enacted by
25 PL 1981, c. 693, §§5 and 8, is amended to read:

26 4. Handicapped adult courses. Handicapped adult
27 courses shall be reimbursed at the rate of 75% of the
28 cost of instructional salaries for students not cov-
29 ered by the provisions under section 7202, subsection
30 10, and 100% for those students covered under section
31 7202, subsection 10.

32 Sec. 11. 20-A M RSA §10104, sub-§2, ¶E, as en-
33 acted by PL 1981, c. 693, §§5 and 8, is amended to
34 read:

35 E. Establish qualifications for admission; and

1 Sec. 12. 20-A MRSA §10104, sub-§2, ¶F, as
2 amended by PL 1983, c. 422, §19, is further amended
3 to read:

4 F. Accept and expend all funds for
5 post-secondary vocational education received by
6 the department from:

7 (1) The General Fund;

8 (2) Gifts and donations either from public
9 or private sources which are offered uncon-
10 ditionally or under conditions approved by
11 the state board; or

12 (3) Fees; and

13 Sec. 13. 20-A MRSA §10104, sub-§2, ¶G is enacted
14 to read:

15 G. Develop program to meet the post-secondary
16 vocational training needs of handicapped persons.

17 Sec. 14. 22 MRSA §3055, sub-§8, as enacted by PL
18 1969, c. 457, §1, is amended to read:

19 8. Eligibility and priority. Shall determine
20 the eligibility of individuals for rehabilitation
21 services or evaluation and work adjustment services
22 and the priority therefor, in accordance with rules
23 and regulations established by the department; and

24 Sec. 15. 22 MRSA §3055, sub-§9 is enacted to
25 read:

26 9. Programs of supported employment. May estab-
27 lish programs of supported employment to promote the
28 transition of handicapped workers from sheltered to
29 nonsheltered employment.

30 Sec. 16. 34-B MRSA §3004, sub-§3, ¶¶B and C, as
31 enacted by PL 1983, c. 580, §6, are amended to read:

32 B. Assess service needs, monitor service deliv-
33 ery related to these needs and evaluate the out-
34 come of programs designed to meet these needs in

1 order to enhance the quality and effectiveness of
2 community support services; and

3 C. Prepare a report which describes the system
4 of community support services in each of the mental
5 health service regions and statewide.

6 (1) The report shall include both existing
7 service resources and deficiencies in the
8 system of services.

9 (2) The report shall include an assessment
10 of the roles and responsibilities of mental
11 health agencies, human services agencies,
12 health agencies and involved state depart-
13 ments and shall suggest ways in which these
14 agencies and departments can better cooper-
15 ate to improve the service system for peo-
16 ple with chronic mental illness.

17 (3) The report shall be prepared biennially
18 and shall be submitted to the joint standing
19 committee of the Legislature having juris-
20 diction over health and institutional ser-
21 vices by January 15th of every even-numbered
22 year.

23 (4) The committee shall review the report
24 and make recommendations with respect to ad-
25 ministrative and funding improvements in the
26 system of community support services to per-
27 sons with chronic mental illness; and

28 Sec. 17. 34-B MRSA §3004, sub-§3, ¶D is enacted
29 to read:

30 D. Provide case management services necessary to
31 support the participation of mentally ill young
32 adults in employment and training programs.

33 Sec. 18. Appropriation. The following funds are
34 appropriated from the General Fund to carry out the
35 purposes of this Act.

36		1985-86	1986-87
37	<u>EDUCATIONAL AND CULTURAL</u>		
38	<u>SERVICES, DEPARTMENT OF</u>		

1 Bureau of Vocational
 2 Education
 3 All Other \$ 300,000 \$ 300,000
 4 These funds are to
 5 provide secondary and
 6 post-secondary voca-
 7 tional training.

8 HUMAN SERVICES, DEPART-
 9 MENT OF

10 Bureau of Rehabilita-
 11 tion
 12 Positions (5) (5)
 13 Personal Services \$ 125,000 \$ 125,000
 14 All Other 335,000 335,000
 15 Of these funds
 16 \$125,000 is to pro-
 17 vide independent liv-
 18 ing skills training;
 19 \$35,000 is to provide
 20 sheltered employment
 21 and \$175,000 is to
 22 provide supported em-
 23 ployment.
 24
 25 Total \$ 460,000 \$ 460,000

26 MENTAL HEALTH AND MENTAL
 27 RETARDATION, DEPARTMENT
 28 OF

29 Bureau of Mental
 30 Health
 31 Positions (5) (5)
 32 Personal Services \$ 125,000 \$ 125,000
 33 All Other 125,000 125,000
 34 These funds are to
 35 provide case manage-
 36 ment and independent
 37 living skills train-
 38 ing.
 39 Bureau of Mental Re-
 40 tardation
 41 Positions (7) (7)

1	Personal Services	175,000	175,000
2	All Other	1,175,000	1,175,000
3	Of these funds		
4	\$875,000 is to pro-		
5	vide case management;		
6	practical and funda-		
7	mental life activi-		
8	ties; and \$300,000 is		
9	to provide for		
10	prevocational train-		
11	ing.		
12			
13	Total	<u>\$1,600,000</u>	<u>\$1,600,000</u>

14 STATEMENT OF FACT

15 Every year approximately 1,000 special education
16 students graduate from public schools in Maine.
17 Many students have reached the age of 20 and are, by
18 law, no longer eligible for special education. Their
19 need for education and training continues, but
20 school-funded services come to an end. They leave
21 school lacking the skills, information and even the
22 values that allows them to succeed in the labor mar-
23 ket. To address these problems requires parents, ed-
24 ucators and service providers to reexamine long held
25 assumptions about what is appropriate for handicapped
26 students. It requires dissolving the boundaries that
27 characterize a social service system based on
28 categorial funding. It means adapting and expanding
29 existing employment training programs to accommodate
30 larger numbers of handicapped young adults. An in-
31 terdepartmental committee to plan and evaluate tran-
32 sitional services for handicapped young adults avoids
33 costly duplication and monitors progress toward the
34 goal of enabling each handicapped student to achieve
35 his potential for employment and full participation
36 in the mainstream of society. Funds appropriated in
37 this bill will assure an adequate and appropriate
38 range of post-secondary training and employment op-
39 tions for all handicapped young adults.

40

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