

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2172

H.P. 1588 House of Representatives, February 1, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Education suggested and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative KIMBALL of Buxton.

Cosponsored by Representative ROLDE of York, Senators
GILL of Cumberland and ESTES of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT Relating to Special Education in Maine
Schools.

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

6 Sec. 1. 20-A MRSA §7001, sub-§3-A is enacted to
7 read:

1 3-A. Multidisciplinary assessment.
2 "Multidisciplinary assessment" means a process of
3 evaluation using trained professionals from relevant
4 fields of expertise in the diagnosis, evaluation and
5 classification of children suspected of having
6 handicapping conditions.

7 Sec. 2. 20-A MRSa §7202, sub-§3, as enacted by
8 PL 1981, c. 693, §§5 and 8, is repealed and the
9 following enacted in its place:

10 3. Diagnosis and evaluation. Provide educational
11 diagnosis and evaluation necessary to plan and
12 implement a special education program for exceptional
13 students within its jurisdiction. This diagnosis and
14 evaluation shall be conducted through a
15 multidisciplinary assessment using appropriately
16 licensed or certified health, mental health and
17 educational professionals, including physicians,
18 psychologists, social workers, psychological
19 examiners, special educational consultants, speech and
20 language clinicians and occupational therapists acting
21 within the scope of their license or certification;

22 Sec. 3. 20-A MRSa §7202, sub-§7, as amended by
23 PL 1983, c. 327, §1, is further amended to read:

24 7. Parent's right to be a member of the team.
25 Notify in writing the exceptional student's parent,
26 surrogate parent or guardian of ~~their~~ the right to
27 be a member of the team and place a copy of the
28 notice in the exceptional student's permanent records;
29 and assure face-to-face presentation of assessment
30 results to the parent by those who assess the child
31 prior to presentation of those results in written form;

32 Sec. 4. 20-A MRSa §7202, sub-§8, as amended by
33 PL 1983, c. 327, §1, is further amended to read:

34 8. Facility construction, renovation and repair.
35 Seek approval in advance from the commissioner for
36 construction, renovation or repair, with or aided by
37 public funds, of facilities intended for the education
38 of exceptional students; or give assurances that other
39 facilities in the school administrative unit are

1 adequate to meet the needs of those students; and

2 Sec. 5. 20-A MRSA §7202, sub-§9, as enacted by
3 PL 1983, c. 327, §2, is amended to read:

4 9. Securing parental permission. For the
5 Protection and Advocacy Agency for the Developmentally
6 Disabled in Maine conducting studies pursuant to Title
7 22, chapter 961:

8 A. Assist the agency in its studies; and

9 B. Facilitate access to relevant case records by:

10 (1) Notifying parents or guardians of the
11 study; and

12 (2) Requesting parental consent for the
13 agency to have access to case records;

14 Sec. 6. 20-A MRSA §7202, sub-§§10 and 11 are
15 enacted to read:

16 10. Assurance of specialists. Assure the
17 provision and compensation of appropriate specialists
18 in medicine, mental health or other disciplines as may
19 be requested in a pupil evaluation; and

20 11. Compensation. Compensate psychological
21 examiners or other licensed professionals in the
22 employ of each school administrative unit for
23 supervision fees incurred as a result of intervention
24 services they may perform.

25 STATEMENT OF FACT

26 This bill provides statutory clarification of
27 techniques to be used in diagnosing and assessing
28 learning disabilities in school children. The bill
29 provides for appropriate use of licensed mental health
30 professionals, assurances of face-to-face discussion
31 with parents and families so they fully understand the
32 evaluation findings, compensation for any specialists

1 requested by pupil evaluation teams and payment of
2 supervision costs if and when incurred by
3 psychological examiners.

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