

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 801

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S.P. 232

In Senate, February 4, 1997

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**An Act to Strengthen the Complaint Investigation Process Regarding  
Students with Disabilities.**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered  
printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.

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

4 Sec. 1. 20-A MRSA §7209 is enacted to read:

6 §7209. Complaint investigation and relief

8 1. Complaint investigation. The commissioner shall adopt a  
10 comprehensive set of rules and standards governing the  
12 investigation and resolution of complaints concerning exceptional  
14 students. The rules must include:

16 A. A procedure by which to notify parents about the  
18 complaint process, whom to contact, the time frame of the  
20 complaint process and their right to provide the complaint  
22 investigator with a list of witnesses;

24 B. A requirement that the parents receive a written  
26 acknowledgment after the filing of a complaint;

28 C. A requirement that the complaint resolution meeting  
30 concerning preliminary findings include parents and school  
32 representatives;

34 D. A model complaint form; and

36 E. A requirement for on-site monitoring of compliance with  
38 the decision of the complaint investigator.

40 2. Relief. The complaint investigator may order  
42 reimbursement to a parent for services provided to the  
44 exceptional student, attorney's fees and costs associated with  
46 the complaint process and any other relief that may be ordered by  
48 a hearing officer in a due process hearing governed by section  
7207-B.

SUMMARY

This bill requires the Commissioner of Education to adopt a comprehensive set of rules and standards governing the investigation and resolution of complaints concerning exceptional students. These rules must include: a notification procedure for parents; requirements for complaint acknowledgment and on-site monitoring; and a model complaint form.

This bill further authorizes the complaint investigator to order any relief that may be ordered by a hearing officer in a due process hearing.