

# MAINE STATE LEGISLATURE

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M  
R. W. S.

L.D. 766

DATE: 6-1-01

(Filing No. H-663)

MINORITY  
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 611, L.D. 766, Bill, "An Act to Improve Child Development Services"

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Improve Child Development Services'**

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**'Sec. 1. Collaboration on early intervention and special education services for Maine children. Resolved:** That the State Level Provider and Site Director Workgroup, established by the Commissioner of Education in June 2000, and the Maine Advisory Council on the Education of Children with Disabilities, the advisory body to the Commissioner of Education on the implementation of the federal Individuals with Disabilities Education Act, 20 United States Code, Chapter 33, shall collaborate in consideration of issues affecting the delivery of early intervention and special education services in Maine to children with disabilities from birth to under 6 years of age, including, but not limited to:

1. The development of recommendations for improved quality and consistency of service;

2. The examination of professional development needed to promote effective practices in the service of eligible children; and

**COMMITTEE AMENDMENT**

R. of S.

2           3.    The development of recommendations for improved  
4 interagency coordination and collaboration.

6           The workgroup and the council shall report jointly to the  
8 Commissioner of Education describing their deliberations and  
10 recommendations as a result of their collaboration. A  
12 preliminary report is due on October 10, 2001 and a final report  
on January 10, 2002. The commissioner shall inform the  
Children's Cabinet of the content of the reports; and be it  
further

14           **Sec. 2. Survey of families and contract providers. Resolved:** That  
16 the Commissioner of Education shall collaborate with the Joint  
18 Standing Committee on Education and Cultural Affairs, other  
20 appropriate state and legislative agencies, the National  
22 Conference of State Legislatures and other qualified  
24 organizations to develop a valid, unbiased instrument and  
26 methodology to survey families receiving early intervention and  
28 special education services for children under 6 years of age and  
30 providers under contract with the Child Development Services  
32 System to provide such services. The survey of families must  
34 include but is not limited to an evaluation of the opinion of  
36 families of children currently under the Child Development  
38 Services System, including those with active service plans and  
40 those in the "Childfind" process as defined in the Maine Revised  
42 Statutes, Title 20-A, section 7725 who do not yet have plans,  
44 regarding the quality of services received, regional site  
46 outreach and in-take procedures, evaluation and eligibility  
48 determinations, communications between families and regional  
50 sites, the explanation of services available and system  
procedures and the opportunity for families to participate in the  
decision-making process. The survey of contract providers must  
include but is not limited to an evaluation of the opinion of  
current contract providers under the Child Development Services  
System regarding state and site policies, interactions with site  
staff, client referral, the promptness and rates of payment,  
effectiveness of "Childfind," the evaluation process and the  
impact of in-house staff. Within available resources, the  
commissioner shall enter into an agreement with a competent  
in-state firm or organization to administer the survey and to  
code and tabulate the results. The commissioner shall  
collaborate with appropriate state and legislative agencies, the  
National Conference of State Legislatures and other qualified  
organizations to interpret the results and to develop recommended  
modifications to the Child Development Services System to address  
any problems identified in the survey. The commissioner shall  
report as provided in section 3 and also present the results to  
the Maine Advisory Council on the Education of Children with  
Disabilities for review; and be it further

2           **Sec. 3. Commissioner's report. Resolved:** That the Commissioner  
of Education shall report to the Joint Standing Committee on  
4 Education and Cultural Affairs not later than January 31, 2002.  
The report must include the results of the collaboration of the  
6 provider-director workgroup and Maine Advisory Council on the  
Education of Children with Disabilities established in section 1  
8 and of the survey provided for in section 2 and the  
commissioner's recommendations, if any, for the improvement of  
10 early intervention and special education services for children  
from birth to under 6 years of age. The committee may introduce  
12 legislation for consideration during the Second Regular Session  
of the 120th Legislature.'

14           Further amend the bill by inserting at the end before the  
16 summary the following:

18                                   **FISCAL NOTE**

20           The bill requires the Commissioner of Education to  
22 collaborate with the Joint Standing Committee on Education and  
Cultural Affairs to develop a survey. In developing the survey,  
24 if the committee meets with the commissioner as part of an  
authorized interim committee meeting, the costs associated with  
26 the meeting can be absorbed by the Legislature within existing  
budgeted resources. If the committee is required to meet solely  
28 for the purpose of collaborating with the commissioner, the  
Legislature will require an additional General Fund appropriation  
30 for Legislators' per diem and expenses. While the exact amount  
of funding can not be determined, the estimated cost for one  
32 meeting of the full committee is \$1,365. The Department of  
Education can absorb any additional expense of the Commissioner  
34 associated with these activities.

36           The Department of Education will incur additional General  
Fund expense of an indeterminate amount to contract for the  
38 administration and results tabulation of a survey of certain  
families and contract providers. The bill indicates the  
40 Department of Education must conduct that activity within  
available resources.'

42                                   **SUMMARY**

44           This amendment is the minority report on the bill jointly  
46 referred to the Joint Standing Committee on Education and  
Cultural Affairs and the Joint Standing Committee on Health and  
48 Human Services. The amendment replaces the bill and makes it a  
resolve. It directs the Commissioner of Education's  
50

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COMMITTEE AMENDMENT "B" to H.P. 611, L.D. 766

2 provider-director workgroup and the Maine Advisory Council on the  
Education of Children with Disabilities to collaborate in the  
4 review of delivery of services to children with disabilities from  
birth to under 6 years of age and to report to the Commissioner  
6 of Education with a preliminary report by October 10, 2001 and  
with a final report by January 10, 2002. The report must address  
8 improved quality and consistency of services, professional  
development needs and ways to improve interagency coordination  
and collaboration.

10  
12 The amendment also directs the Commissioner of Education in  
collaboration with the National Conference of State Legislatures,  
14 appropriate state agencies and legislative agencies and other  
qualified entities to conduct a survey of the families receiving  
services under the Child Development Services System and of the  
16 contract providers under that system. The survey must address  
all aspects of the system and may result in identification of  
18 information necessary to develop recommendations concerning  
whether and how the system needs to be revised.

20  
22 Finally the amendment directs the commissioner to report to  
the Joint Standing Committee on Education and Cultural Affairs  
and the Joint Standing Committee on Health and Human Services  
24 next January on the results of the collaboration of the  
provider-director workgroup and the Maine Advisory Council on the  
26 Education of Children with Disabilities and the survey. The  
committee is authorized to introduce legislation next session.

28  
It also adds a fiscal note to the bill.

**COMMITTEE AMENDMENT**