

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1958

S.P. 752

In Senate, January 10, 2006

An Act To Create a Children's Education Advocate

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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 MITCHELL of Kennebec.
Cosponsored by Representative NORTON of Bangor and
Senators: BRENNAN of Cumberland, GAGNON of Kennebec, MARTIN of Aroostook,
MAYO of Sagadahoc, NUTTING of Androscoggin, SCHNEIDER of Penobscot,
Representative: LERMAN of Augusta.

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

2 **Sec. 1.** The Department of Education, or the Department of Education and the
3 Department of Health and Human Services jointly, shall contract with the Disability
4 Rights Center, the State's designated protection and advocacy agency for persons with
5 disabilities pursuant to the Maine Revised Statutes, Title 5, chapter 511 and under the
6 Developmental Disabilities Assistance and Bill of Rights Act, 42 United States Code,
7 Section 15002 et seq. and 45 Code of Federal Regulations, Part 1386, Subpart B, for the
8 services of an advocate to advocate on behalf of children with serious disabilities in
9 education-related matters. This advocate at the Disability Rights Center will perform and
10 replace the services formerly provided through an advocate whose position in the
11 Department of Health and Human Services, Office of Advocacy Services has been
12 vacated and that remains unfilled.

13 **SUMMARY**

14 This bill requires the Department of Education, or the Department of Education and
15 the Department of Health and Human Services jointly, to fund an advocacy position
16 within the Disability Rights Center, the State's designated protection and advocacy
17 agency, to provide advocacy services for children with serious disabilities in education-
18 related matters. This service was formerly provided through a vacated and unfilled
19 position in the Department of Health and Human Services, Office of Advocacy Services.
20 The contract with the Disability Rights Center would replace the Office of Advocacy
21 position and services. The Disability Rights Center is the designated protection and
22 advocacy agency for persons with disabilities pursuant to the Maine Revised Statutes,
23 Title 5, chapter 511 and under the Developmental Disabilities Assistance and Bill of
24 Rights Act, 42 United States Code, Section 15002 et seq. and 45 Code of Federal
25 Regulations, Part 1386, Subpart B.