

MAINE STATE LEGISLATURE

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L.D. 1901

Date: 6/8/7

(Filing No. H-468)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1335, L.D. 1901, Bill, "An Act To Establish the Education Bill of Rights for Deaf and Hard-of-hearing Children"

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

'Resolve, To Analyze the Feasibility of Establishing an Education Bill of Rights for Deaf and Hard-of-hearing Children'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Analysis of basic education rights proposed for deaf and hard-of-hearing children. Resolved: That the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf shall jointly convene a working group to analyze the feasibility of establishing basic education rights for deaf and hard-of-hearing children. The working group shall consider the legislative initiatives proposed during the First Regular Session of the 123rd Legislature, including analyses of the following issues:

1. The eligibility of any infant with a documented hearing loss, prior to demonstration of any developmental delay, for early intervention services through the Child Development Services System;

2. The establishment of an individualized communication plan as part of the individualized family service plan or the individualized education plan established for each deaf or hard-of-hearing child who has been determined to be a child with a disability;

3. The involvement of experts in the field of deaf and hard-of-hearing education in the individualized family service plan teams and the individualized education plan teams for each deaf or hard-of-hearing child who has been determined to be a child with a disability;

COMMITTEE AMENDMENT

R.O.S.

COMMITTEE AMENDMENT "A" to H.P. 1335, L.D. 1901

- 1 4. The qualifications of teachers, interpreters and other education personnel who
2 provide professional services to deaf and hard-of-hearing children;
- 3 5. The extent to which the basic education rights considered by the working group
4 for deaf and hard-of-hearing children are consistent with or exceed current federal and
5 state rules and laws for deaf and hard-of-hearing children who have been determined to
6 be children with disabilities;
- 7 6. The clarification and definition of all terms that pertain to the basic education
8 rights proposed for deaf and hard-of-hearing children;
- 9 7. The recodification of all existing provisions contained in the Department of
10 Education Chapter 101 special education rules that pertain to deaf and hard-of-hearing
11 children into a single section of the rules to increase the accessibility of these rules and
12 minimize confusion regarding these provisions;
- 13 8. The special challenges that confront small schools and schools located in rural
14 areas of the State pertaining to the fiscal and human resource capacity of these schools to
15 provide education programs for deaf and hard-of-hearing children, including the
16 availability of consultation services, distance learning and telecommunications resources
17 available to schools through the Maine Educational Center for the Deaf and Hard of
18 Hearing and the Governor Baxter School for the Deaf; and
- 19 9. The status of current laws or pending legislation in other states that pertain to the
20 provision of basic education rights for deaf and hard-of-hearing children, including any
21 analyses of current laws or pending legislation that may be available from the National
22 Conference of State Legislatures; and be it further
- 23 **Sec. 2. Report. Resolved:** That, no later than January 31, 2008, the Department
24 of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the
25 Governor Baxter School for the Deaf shall jointly submit a report to the Joint Standing
26 Committee on Education and Cultural Affairs that includes their findings and
27 recommendations, including suggested legislation, regarding any necessary changes to
28 the current statutes and rules pertaining to early intervention services and the education
29 delivery system for deaf and hard-of-hearing children; and be it further
- 30 **Sec. 3. Legislation. Resolved:** That the Joint Standing Committee on Education
31 and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd
32 Legislature to implement its recommendations on matters relating to the report submitted
33 pursuant to section 2.'

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SUMMARY

35 This amendment replaces the bill with a resolve to require the Department of
36 Education and the Maine Educational Center for the Deaf and Hard of Hearing and the
37 Governor Baxter School for the Deaf to jointly convene a working group to analyze the
38 feasibility of establishing a set of basic education rights for deaf and hard-of-hearing
39 children. The amendment requires that, no later than January 31, 2008, the Department
40 of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the
41 Governor Baxter School for the Deaf jointly submit a report that includes their findings
42 and recommendations, including suggested legislation, to the Joint Standing Committee

COMMITTEE AMENDMENT

R. 46.

COMMITTEE AMENDMENT **A** to H.P. 1335, L.D. 1901

1 on Education and Cultural Affairs. The amendment also authorizes the Joint Standing
2 Committee on Education and Cultural Affairs to submit a bill to the Second Regular
3 Session of the 123rd Legislature to implement its recommendations on matters relating to
4 the report.

5 **FISCAL NOTE REQUIRED**
6 (See attached)



123rd MAINE LEGISLATURE

LD 1901

LR 542(03)

An Act To Establish the Education Bill of Rights for Deaf and Hard-of-hearing Children

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to conduct the required analysis can be absorbed within existing budgeted resources.