

MAINE STATE LEGISLATURE

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R. 8.8.

L.D. 1110

Date: 5/16/11

(Filing No. H- 251)

Majority

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 822, L.D. 1110, Bill, "An Act Regarding the Attendance of Attorneys at Pupil Evaluation Team Meetings"

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

'An Act Regarding the Attendance of Attorneys at Individualized Education Program Team Meetings'

Amend the bill in section 2 by striking out all of subsection 10 (page 1, lines 13 to 20 in L.D.) and inserting the following:

'10. Department of Health and Human Services; authority to request convening of individualized education program team meeting. Notify in writing the individual designated by the Department of Health and Human Services that the Department of Health and Human Services has the authority to request the school administrative unit to convene a ~~pupil evaluation individualized education program~~ team meeting and to attend and participate in any ~~pupil evaluation individualized education program~~ team meetings concerning a child with a disability who is a state ward. The written notice must indicate the time and place of the ~~pupil evaluation individualized education program~~ team meeting and a copy of the notice must be placed in the child's permanent record-; and'

Amend the bill in section 3 by striking out all of subsection 11 (page 1, lines 22 to 25 in L.D.) and inserting the following:

'11. Attorney's presence at team meeting. Provide that the school administrative unit may be represented by counsel in an individualized education program team meeting concerning a child with a disability only when the parents are represented by counsel. An attorney representing a parent shall provide the superintendent with at least 7 days' written notice prior to the individualized education program team meeting that the attorney will be representing the parent at the individualized education program team meeting. Parties may consult with their attorneys prior to and after attending an individualized education program team meeting. Both parties may agree in writing to waive the 7-day written notice of the planned attendance of the parent's attorney at the individualized education program team meeting.'

COMMITTEE AMENDMENT

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10**SUMMARY**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment is consistent with the intent of the bill and makes changes to clarify that the school administrative unit may be represented by counsel at an individualized education program team meeting concerning a child with a disability only when the parents are represented by an attorney at the individualized education program team meeting. The amendment also provides that the attorney representing the parent must provide 7 days' written notice, which both parties may waive, to the superintendent of the school administrative unit that the attorney will be representing the parent at the individualized education program team meeting.