

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1184

H.P. 828

House of Representatives, March 26, 2013

An Act Regarding Special Education Requirements for School Administrative Units That Do Not Operate Any Schools

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DILL of Old Town.
Cosponsored by Senator SAVIELLO of Franklin and
Representatives: STANLEY of Medway, THERIAULT of Madawaska, TURNER of
Burlington, Senators: JACKSON of Aroostook, SHERMAN of Aroostook.

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

2 **Sec. 1. 20-A MRSA §7211** is enacted to read:

3 **§7211. Units that do not operate schools**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Receiving school" means a school administrative unit or private school that
7 receives students from a sending school unit.

8 B. "Sending school unit" means a school administrative unit that does not own, lease
9 or otherwise operate any school and all of whose students attend schools located
10 outside the school administrative unit.

11 **2. Responsibility for compliance.** Notwithstanding any other provision of law, the
12 receiving school is responsible, and the sending school unit is not responsible, for
13 satisfying the requirements of this chapter and rules adopted by the commissioner under
14 this chapter with respect to a child with a disability who resides within the sending school
15 unit who attends the receiving school.

16 **SUMMARY**

17 This bill provides that the responsibility for compliance with special education
18 requirements for children with disabilities resides with the school the student attends if
19 the school administrative unit in which the student resides does not own, lease or
20 otherwise operate any schools.