

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1769

S.P. 703

In Senate, February 11, 2014

**An Act To Implement the Recommendations of the Report Defining  
Cost Responsibility for Deaf and Hard-of-hearing Students  
Receiving Services from the Maine Educational Center for the Deaf  
and Hard of Hearing and the Governor Baxter School for the Deaf**

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Reported by Senator MILLETT of Cumberland for the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2013, chapter 347, section 1.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

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

2 **Sec. 1. 20-A MRSA §7403**, as amended by PL 2011, c. 683, §2, is further  
3 amended to read:

4 **§7403. Responsibility; location; geographic access**

5 ~~The center school is responsible for providing a free, appropriate public education to~~  
6 ~~students enrolled pursuant to chapter 301.~~ The center school programs are operated by  
7 the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter  
8 School for the Deaf located on Mackworth Island or at a location determined by the  
9 school board in accordance with section 7407, subsection 17. Satellite school programs,  
10 including a residential program in accordance with section 7407, subsection 17, may be  
11 located near the population centers of deaf and hard-of-hearing students within the State.

12 **1. Responsibility; repeal.** The center school is responsible for providing a free,  
13 appropriate public education to students placed pursuant to chapter 301.

14 This subsection is repealed July 1, 2015.

15 **Sec. 2. 20-A MRSA §7405, sub-§4** is enacted to read:

16 **4. Repeal.** This section is repealed July 1, 2015.

17 **Sec. 3. 20-A MRSA §7405-A** is enacted to read:

18 **§7405-A. Placement; state and federal educational services requirements; technical**  
19 **assistance**

20 Beginning July 1, 2015, the following provisions apply to student placement, state  
21 and federal educational services requirements and technical assistance.

22 **1. Placement.** The school administrative unit in which a deaf or hard-of-hearing  
23 student resides is responsible for providing a free, appropriate public education pursuant  
24 to chapter 301 for a student placed in the center school or in one of the satellite school  
25 programs. An individualized education program team for a school administrative unit in  
26 which a deaf or hard-of-hearing student resides is responsible for the placement decision  
27 of that student and, when the center school or one of the satellite school programs is  
28 being considered as a placement for the student, shall invite a representative of the center  
29 school or the satellite school to attend the individualized education program team meeting  
30 at which this placement is being considered. The school administrative unit in which the  
31 student resides shall pay the sums necessary to ensure that the services required to meet  
32 the individualized education program for each student placed in the center school or in  
33 one of the satellite school programs are provided, including:

34 A. The cost of tuition; and

35 B. The costs of transportation and other related services as defined by section 7001,  
36 subsection 4-B.



1           2. The individualized education program team for the school administrative unit in  
2 which a deaf or hard-of-hearing student resides is responsible for the placement decision  
3 of the student and, when the center school or one of the satellite school programs is being  
4 considered as a placement for the student, must invite a representative of the center  
5 school or the satellite school to attend the individualized education program team meeting  
6 at which this placement is being considered;

7           3. The school administrative unit in which the student resides must pay the sums  
8 necessary to ensure that services required to meet the individualized education program  
9 are provided, including tuition, transportation services and other related services as  
10 defined by the Maine Revised Statutes, Title 20-A, section 7001, subsection 4-B, for each  
11 student placed in a center school program or in one of the satellite school programs  
12 operated by the Maine Educational Center for the Deaf and Hard of Hearing and the  
13 Governor Baxter School for the Deaf; and

14           4. The School Board of the Maine Educational Center for the Deaf and Hard of  
15 Hearing and the Governor Baxter School for the Deaf must pay the room and board costs  
16 for each student placed in a residential program in the center school or in one of the  
17 satellite school programs through funds appropriated by the State.