

MAINE STATE LEGISLATURE

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Date: 5/27/15

Minority

L.D. 1081
(Filing No. H-209)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 742, L.D. 1081, Bill, "An Act To Change the Individualized Education Program Notice Requirements"

Amend the bill in section 1 in subsection 7 in paragraph A in the 3rd line (page 1, line 11 in L.D.) by striking out the following: "14" and inserting the following: '7'

SUMMARY

This amendment reduces the time a parent or guardian of a child with a disability has to object to any proposals by a school administrative unit for the placement of the child from 14 days, as provided in the bill, to 7 days.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



Approved: 05/18/15 *MEC*

127th MAINE LEGISLATURE

LD 1081

LR 1348(02)

An Act To Change the Individualized Education Program Notice Requirements

Fiscal Note for Bill as Amended by Committee Amendment

A(H-209)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - Federal Expenditures Fund
Potential current biennium cost increase - local school administrative units

Fiscal Detail and Notes

Making it easier for a parent to block a change proposed by a school administrative unit (SAU) to a child's special education services and requiring SAU's to initiate a more costly dispute resolution process may result in increased costs to the Department of Education, who provides the dispute resolution services, and/or local school administrative units due to a potential increase in the number of higher cost mediation and/or hearing requests and a decrease in the number of lower cost complaint investigations from what currently occurs.

Under current law, a parent can only block a change in their child's special education services by requesting a complaint investigation, mediation or a hearing. According to the Department of Education, the complaint investigation is the least expensive of the 3 options. However, federal law only allows for parents to request a complaint investigation and is not an option for local SAU's. The Department of Education estimates that, had this provision been in place during fiscal year 2013-14, the additional cost would have been approximately \$95,000. This estimate assumes an additional cost of conducting a hearing versus a complaint investigation to be approximately \$5,000 per request and is based on 19 requests for complaint investigations during that year. The impact to the Department and local SAU's will depend on actual experience.