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Legislative Document

No. 1081

H.P. 742

House of Representatives, March 25, 2015

An Act To Change the Individualized Education Program Notice Requirements

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative WARREN of Hallowell. Cosponsored by Senator CUSHING of Penobscot and Representatives: DUNPHY of Old Town, GERRISH of Lebanon, HYMANSON of York, PIERCE of Falmouth. 1 Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 20-A MRSA §7202, sub-§7, as amended by PL 2005, c. 662, Pt. A, §23, is further amended to read:

7. Notice of parent's right to be a member of the team. Notify in writing the
parent, surrogate parent or guardian of the child with a disability of that person's right to
be a member of the team and place a copy of the notice in the student's permanent
records;. The notification under this subsection must inform the parent, surrogate parent
or guardian that:

- 9A. Except for the initial placement of a child in a special education program, the10school administrative unit will proceed with the school administrative unit's proposal11for providing special education services to the child unless, within 14 days of the date12the school administrative unit sends the notice of the proposal to the parent, surrogate13parent or guardian, the parent, surrogate parent or guardian notifies the school14administrative unit of an objection to the proposal; and
- B. Nothing in this subsection prevents a parent or a school administrative unit from utilizing alternative dispute resolution procedures to resolve a disagreement about a proposed change in educational placement. In addition, a school administrative unit may seek a change in placement over the objection of the parent through due process proceedings;

SUMMARY

This bill requires that the notification to a parent of a child with a disability informing the parent of the parent's right to be a member of the child's individualized education program team must include notice that the parent has 14 days to object to any proposal by a school administrative unit for the placement of the child and that the parent or school administrative unit may request alternative dispute resolution.