

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2166

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H.P. 1386

House of Representatives, January 16, 2024

**An Act to Establish a Grant Program to Increase Postsecondary Educational Opportunities for Students with Intellectual or Developmental Disabilities or Autism Spectrum Disorder**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MILLETT of Cape Elizabeth.

Cosponsored by Representatives: BRENNAN of Portland, CRAFTS of Newcastle, DODGE of Belfast, KUHN of Falmouth, LEE of Auburn, MURPHY of Scarborough, OSHER of Orono.



1                   (6) Capacity for independent living; and

2                   (7) Economic self-sufficiency; and

3                   D. Reflects the person's need for a combination and sequence of special,  
4                   interdisciplinary or generic care, treatment or other services that are of a lifelong or  
5                   extended duration and are individually planned and coordinated.

6                   **2. Grant program.** "Grant program" means the Inclusive Higher Education Grant  
7                   Program established by this chapter.

8                   **3. Inclusive higher education.** "Inclusive higher education" means a program of  
9                   higher education that offers students with intellectual disabilities or developmental  
10                   disabilities or autism spectrum disorder, to the greatest extent possible, the same rights,  
11                   privileges, experiences, benefits and outcomes that result in a higher education experience  
12                   similar to students without disabilities.

13                   **4. Intellectual disability.** "Intellectual disability" means a condition of significantly  
14                   subaverage intellectual functioning resulting in or associated with concurrent impairments  
15                   in adaptive behavior and manifested during the developmental period.

16                   **5. Pilot program.** "Pilot program" means an inclusive higher education plan developed  
17                   by an institution of higher education in the State.

18                   **§10602. Inclusive Higher Education Grant Program established; administration;**  
19                   **qualifications; reports**

20                   The Inclusive Higher Education Grant Program is established in the department to  
21                   support postsecondary educational opportunities for students with intellectual disabilities  
22                   or developmental disabilities or autism spectrum disorder. Under the grant program, the  
23                   department shall award competitive grants to institutions of higher education in the State  
24                   to develop and implement pilot programs that offer inclusive higher education.

25                   **1. Administration.** The department shall administer the grant program. To carry out  
26                   the purposes of the grant program, the department shall:

27                   A. Include in the administration of the grant program a representative of at least one of  
28                   the following offices within the department: the office supporting special education  
29                   and inclusive education services, the office supporting innovation in education and  
30                   policy implementation and the office supporting workforce development;

31                   B. Develop and send to each institution of higher education in the State the following  
32                   materials related to the grant program:

33                   (1) Materials describing the purpose and goals of the grant program;

34                   (2) An application for the grant program;

35                   (3) Compliance requirements and information concerning available funding; and

36                   (4) Information outlining the requirements for qualifying as a comprehensive  
37                   transition and postsecondary program under the federal Higher Education  
38                   Opportunity Act, 20 United States Code, Section 1140 (2010);

39                   C. Designate a person to be available to answer questions from institutions of higher  
40                   education concerning grant program qualifications and funding;

41                   D. Develop application requirements consistent with subsection 2;

1 E. Review and approve applications and award grants to institutions of higher  
2 education on a competitive basis; and

3 F. Adopt rules as necessary for the operation of the grant program. Rules adopted  
4 pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375,  
5 subchapter 2-A.

6 **2. Qualifications.** To qualify for a grant under the grant program, a proposed pilot  
7 program must:

8 A. Offer the supports necessary to allow students with intellectual disabilities or  
9 developmental disabilities or autism spectrum disorder to have the same rights,  
10 privileges, experiences, benefits and outcomes as students without disabilities;

11 B. Ensure that students with intellectual disabilities or developmental disabilities or  
12 autism spectrum disorder have access to a wide array of academic courses that are  
13 attended by students without disabilities;

14 C. Ensure that students with intellectual disabilities or developmental disabilities or  
15 autism spectrum disorder have access to and support for participation in campus life,  
16 including social activities and organizations, institution facilities, technology and other  
17 institution resources available to students without disabilities;

18 D. Provide students with intellectual disabilities or developmental disabilities or autism  
19 spectrum disorder with the supports and experiences necessary to seek and sustain  
20 competitive employment;

21 E. Develop and promote the self-determination skills of students with intellectual  
22 disabilities or developmental disabilities or autism spectrum disorder;

23 F. Offer peer mentoring;

24 G. Adopt admissions standards that do not require a student with an intellectual  
25 disability or developmental disability or autism spectrum disorder to participate in a  
26 curriculum-based achievement college entrance examination that is administered  
27 nationwide. For the purposes of this paragraph, "curriculum-based achievement college  
28 entrance examination" means a college entrance examination composed of questions  
29 directly related to high school curriculum. "Curriculum-based achievement college  
30 entrance examination" does not include an examination primarily designed to measure  
31 scholastic aptitude;

32 H. Include the development of one or more meaningful credentials for students with  
33 intellectual disabilities or developmental disabilities or autism spectrum disorder to  
34 earn on successful completion of the pilot program; and

35 I. Meet the requirements of a comprehensive transition and postsecondary program  
36 under the federal Higher Education Opportunity Act, 20 United States Code, Section  
37 1140 (2010), so that students with intellectual disabilities or developmental disabilities  
38 or autism spectrum disorder may be eligible for certain federal grants and work-study  
39 programs.

40 A grant application must show that the institution of higher education has engaged  
41 stakeholders in the development of the applicant's pilot program.

