

MAINE STATE LEGISLATURE

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Date: January 2, 2020

Source of Report: LD 651 Resolve, To Facilitate School Access to Federal Title I Funds and Improve the Delivery of Special Education Services

Topic:

- 1. Enhancement of response to intervention to become an all-encompassing Multi-tiered system of support in all school administrative units and removing the regulations on general education interventions from Department of Education rule Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty and amending rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to include regulations on general education interventions.*
- 2. Facilitation of the process by which schools apply for schoolwide status with respect to funds under Title I of the federal Elementary and Secondary Education Act of 1965.*
- 3. Increased use of dual certification programs for general education and special education certification.*
- 4. Review of the maintenance of effort funding component of the essential programs and services funding formula under the Maine Revised Statutes, Title 20-A, section 15681-A, subsection 2, paragraph D.*
- 5. Improvement of regional programs that facilitate MaineCare billing for medically necessary services for schools.*

Context

The areas in the topic section above were the result of a Task Force on Special Education initiated by the Joint Committee on Education and Cultural Affairs in 2017. During the work session for the Task Force the Department indicated the work that was either underway or was planned for.

Actions

- 1. Enhancement of response to intervention to become an all-encompassing multitiered system of support in all school administrative units and removing the regulations on general education interventions from Department of Education rule Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty and amending rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to include regulations on general education interventions.*

The Chapter 101 regulations will be revised to remove Section 3 on General Education Intervention as part of the proposed regulation changes in 2020. Chapter 125: Basic School Approval will be revised during the Fall of 2019 and will propose the inclusion of the Multi-tiered systems of support formerly in the special education regulations. Further, the NEO School Approval form, completed annually by school administrative units, currently contains in the school supports section, question 11, which states: “General education scientific, research-based interventions have been developed and implemented to provide different learning experiences or assistance in achieving the standard for K-12 students who are not progressing toward meeting the content standard; and data regarding student responses to targeted interventions have been collected and documented.”

It is anticipated that Chapter 125 will be proposed during the Fall of 2019 and would then be reviewed by the Joint Committee as provisionally adopted during the second session of the 129th. The multi-tiered systems of support is in section 5.18 of the proposed rule.

The systems of interventions language is located in regular education: <http://www.mainelegislature.org/legis/statutes/20-A/title20-Asec4710.html>

2. Facilitation of the process by which schools apply for schoolwide status with respect to funds under Title I of the federal Elementary and Secondary Education Act of 1965.

The Maine Department of Education has developed the Comprehensive Needs Assessment (CNA) to include all the necessary elements to apply for Title IA schoolwide status. Therefore, the full completion of the CNA allows a school to be immediately reviewed and determined meeting approval for Title IA schoolwide status. The full completion of the CNA has significantly increased the number of schools with the school wide status. The Department anticipates continued growth in the number.

3. Increased use of dual certification programs for general education and special education certification.

The credentialing process within the Maine Department of Education already allows teachers, administrators and special education personnel to apply and receive more than one credential, thereby be dually credentialed. The Department will continue to support personnel being dually credentialed.

The following is the evidence of the dual credentialing that has occurred:

Total number of teachers with an active credential as of July 17, 2019: 22,220

Total number of those that have more than one endorsement: 7,662 (34.5%)

4. Review of the maintenance of effort funding component of the essential programs and services funding formula under the Maine Revised Statutes, Title 20-A, section 15681-A, subsection 2, paragraph D.

The review of the maintenance of effort funding component of the essential programs and services funding is part of the special education component review. This review is underway with MEPRI this fiscal year.

5. Improvement of regional programs that facilitate MaineCare billing for medically necessary services for schools.

A Request for Proposals (RFP) has been developed for regional programs implement billing for Maine Care services. A half a million dollars has been allocated for this RFP and it is hoped that there could be two proposals that apply offering billing services in two locations in the state.

Findings

Recommendations

No legislation needed at this time.

References

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APPROVED

CHAPTER

MAY 16, 2019

29

BY GOVERNOR

RESOLVES

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 472 - L.D. 651

**Resolve, To Facilitate School Access to Federal Title I Funds and Improve
the Delivery of Special Education Services**

Sec. 1. Delivery of special education services. Resolved: That the Department of Education, no later than January 1, 2020, shall report to the Joint Standing Committee on Education and Cultural Affairs on the progress, including recommendations and suggested legislation, on the following current projects, which were recommendations of the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services during the 128th Legislature:

1. Enhancement of response to intervention to become an all-encompassing multitiered system of support in all school administrative units and removing the regulations on general education interventions from Department of Education rule Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty and amending rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to include regulations on general education interventions;

2. Facilitation of the process by which schools apply for schoolwide status with respect to funds under Title I of the federal Elementary and Secondary Education Act of 1965;

3. Increased use of dual certification programs for general education and special education certification;

4. Review of the maintenance of effort funding component of the essential programs and services funding formula under the Maine Revised Statutes, Title 20-A, section 15681-A, subsection 2, paragraph D; and

5. Improvement of regional programs that facilitate MaineCare billing for medically necessary services for schools.

The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 129th Legislature to implement any recommendations in the report.