



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 632

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H.P. 461

House of Representatives, February 7, 2019

### **An Act To Promote Free, Appropriate Public Education**

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative WARREN of Hallowell.  
Cosponsored by Senator LIBBY of Androscoggin and  
Representatives: BRENNAN of Portland, FARNSWORTH of Portland, HANDY of Lewiston,  
MADIGAN of Waterville.

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

2 **Sec. 1. 20-A MRSA §7001, sub-§2-A**, as amended by PL 2011, c. 477, Pt. F, §1,  
3 is further amended to read:

4 **2-A. Free, appropriate public education.** "Free, appropriate public education"  
5 means special education and related services that are provided at public expense, under  
6 public supervision and direction and without charge; meet the standards of the  
7 department; include an appropriate preschool, elementary school or secondary school  
8 education in the State; and are provided in conformity with the individualized family  
9 service plan or individualized education program. ~~The Child Development Services~~  
10 ~~System shall provide free, appropriate public education to a preschool child with~~  
11 ~~disabilities who reaches 5 years of age between July 1st and October 15th if that child is~~  
12 ~~already receiving free, appropriate public education through the Child Development~~  
13 ~~Services System and the child's individualized education program team determines, in~~  
14 ~~accordance with rules adopted by the commissioner, that it is in the best interest of the~~  
15 ~~child not to enroll that child in kindergarten until the start of the following school year.~~

16 **SUMMARY**

17 This bill eliminates the provision that requires the Child Development Services  
18 System to provide free, appropriate public education to a preschool child with disabilities  
19 who reaches 5 years of age between July 1st and October 15th if the child's individualized  
20 education program team determines that it is in the best interest of the child to delay  
21 enrollment in kindergarten for one year.