



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

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.

A handwritten signature in cursive script that reads "Robert 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:**

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

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

9 A. Except for the initial placement of a child in a special education program, the
10 school administrative unit will proceed with the school administrative unit's proposal
11 for providing special education services to the child unless, within 14 days of the date
12 the school administrative unit sends the notice of the proposal to the parent, surrogate
13 parent or guardian, the parent, surrogate parent or guardian notifies the school
14 administrative unit of an objection to the proposal; and

15 B. Nothing in this subsection prevents a parent or a school administrative unit from
16 utilizing alternative dispute resolution procedures to resolve a disagreement about a
17 proposed change in educational placement. In addition, a school administrative unit
18 may seek a change in placement over the objection of the parent through due process
19 proceedings;

20 **SUMMARY**

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