**§7006. Responsibility**

The Department of Education is designated as the state education agency responsible for carrying out the State's obligations under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended. The department and every school administrative unit, intermediate educational unit, public school or other public agency that receives federal or state funds to provide early intervention or free, appropriate public education services to children with disabilities shall comply with the federal Individuals with Disabilities Education Act, as amended, and all federal regulations adopted under the Act. [PL 2005, c. 662, Pt. A, §20 (NEW).]

**1. Responsibility for Part C.**  The commissioner shall designate responsibility for ensuring child find activities and early intervention services under Part C for children from birth until 3 years of age, or until the start of the school year in which the child is 4 years of age if the extended Part C option is selected by the family of the child, to the Child Development Services System.

[PL 2023, c. 643, Pt. W, §11 (NEW).]

**2. Responsibility for Part B, Section 619.**  Until June 30, 2028, the commissioner shall designate responsibility for child find activities and for ensuring a free, appropriate public education for children eligible under Part B, Section 619 to the Child Development Services System or to school administrative units in accordance with the transition schedule and supports under section 7209‑A. Beginning July 1, 2028, the commissioner shall designate responsibility for child find activities and for ensuring a free, appropriate public education for children eligible under Part B, Section 619 to school administrative units.

[PL 2023, c. 643, Pt. W, §11 (NEW).]

**3. Service provision.**  A school administrative unit that has been designated to have responsibility for child find activities and for ensuring a free, appropriate public education for children eligible under Part B, Section 619 pursuant to subsection 2 may directly provide special education and related services to children eligible under Part B, Section 619 and may contract with public and private providers to provide special education and related services. A school administrative unit may also access the school administrative unit’s regional support and service hub to provide certain services as delineated in a memorandum of understanding between the department and the school administrative unit.

[PL 2023, c. 643, Pt. W, §11 (NEW).]

**4. Exception.**  Notwithstanding subsection 2, if the commissioner determines that a school administrative unit is unable to assume responsibility for child find activities and for ensuring a free, appropriate public education for children eligible under Part B, Section 619 pursuant to subsection 2, the commissioner may establish a modified plan for that school administrative unit in managing those children.

[PL 2023, c. 643, Pt. W, §11 (NEW).]

**5. Annual report.**  The department shall report annually by March 1st to the joint standing committee of the Legislature having jurisdiction over education matters. The report must include, for school administrative units, each of the components required of the Child Development Services System pursuant to section 7209, subsection 4, paragraph E. The joint standing committee of the Legislature having jurisdiction over education matters may report out a bill related to the report to the session of the Legislature in which the report is received.

[PL 2023, c. 643, Pt. W, §11 (NEW).]

SECTION HISTORY

PL 2005, c. 662, §A20 (NEW). PL 2023, c. 643, Pt. W, §11 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.