



125th MAINE LEGISLATURE

LD 326

LR 181(01)

An Act To Require That School Administrative Units Bear the Burden of Proving That an Individualized Education Program Is Appropriate

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Rep. Kent of Woolwich

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

State Mandate - Unfunded

State Mandates

Required Activity

Requires that the burden of proof in a due process hearing to determine whether an individualized education program developed by a school administrative unit meets the needs of a child with a disability be placed on the school administrative unit.

Unit Affected

School

Local Cost

Moderate statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

Fiscal Detail and Notes

This legislation may result in additional costs to the Department of Education due to a potential increase in the number of filings for due process hearings. The impact to the department and to local school administrative units can not be determined at this time.