

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Date: (Filing No. H- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1531, L.D. 2039, “An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age”

Amend the bill by striking out the title and substituting the following:

**'Resolve, Directing the Department of Education To Establish an Early Childhood Special Education Services Transition Task Force'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Outside facilitator. Resolved:** That the Department of Education shall hire an outside facilitator to convene the task force established in section 2 to facilitate the duties of the task force no later than 60 days after the effective date of this resolve. The department shall use existing resources designated for the transition or reorganization of the provision of services for infants, toddlers and children with disabilities from birth to 6 years of age to hire the facilitator under this section.

**Sec. 2. Early Childhood Special Education Services Transition Task Force established; duties; report. Resolved:** That the Early Childhood Special Education Services Transition Task Force, referred to in this resolve as "the task force," is established. The facilitator hired under section 1 shall appoint the following members based on the recommendations provided and convene the task force no later than 30 days after being hired.

**1. Membership.** The task force consists of 15 members, as follows:

A. Two members representing the Department of Education, one representing the provision of services under Part C of the federal Individuals with Disabilities Education Act and one representing the provision of services under Part B, Section 619 of the federal Individuals with Disabilities Education Act;

B. A member representing the Department of Health and Human Services, Office of MaineCare Services;

**COMMITTEE AMENDMENT**

- 1 C. A superintendent of a rural school administrative unit, recommended by the Maine  
2 School Superintendents Association;
- 3 D. A principal of an urban public elementary school, recommended by the Maine  
4 Principals' Association;
- 5 E. A teacher in a public prekindergarten program from a large school administrative  
6 unit, recommended by the Maine Education Association;
- 7 F. A special education director from a small school administrative unit, recommended  
8 by the Maine Administrators of Services for Children with Disabilities;
- 9 G. A member representing the Maine Developmental Disabilities Council;
- 10 H. Two parents with children 3 years of age to under 6 years of age, recommended by  
11 the Maine Parent Federation;
- 12 I. A contracted service provider of early intervention services, recommended by the  
13 Maine Association for Community Service Providers;
- 14 J. A Head Start program director, recommended by the Maine Head Start Association;
- 15 K. A member representing the Maine Association for the Education of Young  
16 Children;
- 17 L. A child development services system staff member providing services under Part B  
18 of the federal Individuals with Disabilities Education Act, recommended by the Maine  
19 Service Employees Association; and
- 20 M. A member representing the Maine Children's Alliance.

21 **2. Duties.** The task force shall complete the following duties with the assistance of the  
22 facilitator:

- 23 A. Develop a school district readiness assessment tool to assess the readiness and  
24 capacity of school administrative units to take on the responsibility of providing free,  
25 appropriate public education for children from 3 years of age to under 6 years of age;
- 26 B. Conduct a community needs and resources assessment to assess the readiness and  
27 capacity of local service providers to assist school administrative units in taking on the  
28 responsibility of providing free, appropriate public education for children from 3 years  
29 of age to under 6 years of age;
- 30 C. Coordinate with all organizations and agencies that provide services to, work with  
31 or otherwise engage in work relating to early childhood special education to provide  
32 information, answer questions and develop the process, timeline and implementation  
33 plan for the transition of the responsibility of providing free, appropriate public  
34 education for children from 3 years of age to under 6 years of age from the child  
35 development services system to school administrative units. The process, timeline and  
36 implementation plan developed under this paragraph must provide that the State will  
37 fund 100% of the costs that are incurred by school administrative units enrolling  
38 students receiving services under Part B of the federal Individuals with Disabilities  
39 Education Act and must address:
  - 40 (1) Budgetary details and funding mechanisms;

- 1 (2) MaineCare and private insurance billing and any issues regarding requirements
- 2 to obtain parental consent for billing insurance;
- 3 (3) Departmental and legislative reporting requirements;
- 4 (4) Employment of current child development services system employees,
- 5 including but not limited to employment and retirement protections, memoranda
- 6 of understanding with local service providers and the status of and plans for
- 7 appropriate training and educator credentialing;
- 8 (5) Superintendent agreements for students from 3 years of age to under 6 years
- 9 of age for students receiving services outside of the school administrative unit in
- 10 which the student resides;
- 11 (6) Compensatory services;
- 12 (7) Eligibility for and any federal changes to the expansion of the standard
- 13 deviation for qualification of services;
- 14 (8) Labor shortages; and
- 15 (9) Creation of an independent board for the establishment of a state intermediate
- 16 educational unit to serve infants and toddlers with disabilities and who would be
- 17 appointed to that board and how appointments to that board would be made; and
- 18 D. Enhance the implementation of child find services under the federal Individuals
- 19 with Disabilities Education Act.

20 **3. Report.** The task force shall submit status updates to the joint standing committee  
 21 of the Legislature having jurisdiction over education and cultural affairs no later than  
 22 October 1, 2022, December 1, 2022 and February 1, 2023. The joint standing committee is  
 23 authorized to meet upon the receipt of the October 1, 2022 status update. The facilitator  
 24 shall submit a final report no later than April 1, 2023, including findings, recommendations  
 25 and any suggested legislation to the joint standing committee. The joint standing committee  
 26 may submit legislation related to the report to the 131st Legislature in 2023.

27 **Sec. 3. Appropriations and allocations. Resolved:** That the following  
 28 appropriations and allocations are made.

29 **EDUCATION, DEPARTMENT OF**  
 30 **Leadership Team Z077**

31 Initiative: Provides one-time funds for supplies and mileage reimbursement to members of  
 32 the Early Childhood Special Education Services Transition Task Force.

33 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
34 All Other	\$0	\$12,980
35		
36 GENERAL FUND TOTAL	\$0	\$12,980

37 '  
 38 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 39 number to read consecutively.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**SUMMARY**

This resolve, which is a minority report of the committee bill reported out pursuant to Resolve 2021, chapter 106, establishes the Early Childhood Special Education Services Transition Task Force, names its membership and requires the Department of Education to hire a facilitator from existing resources to facilitate the duties of the task force. Those duties include but are not limited to developing school district readiness and capacity assessments; conducting community needs and resources assessments; coordinating with early childhood special education-related organizations and agencies to provide information, answer questions and develop the process, timeline and implementation plan for the transition of the responsibility of providing free, appropriate public education for children from 3 years of age to under 6 years of age from the child development services system to school administrative units; and enhancing child find. The facilitator must submit 3 status updates to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on October 1, 2022, December 1, 2022 and February 1, 2023 and a final report on April 1, 2023. The joint standing committee may submit legislation related to the report to the 131st Legislature in 2023.

**FISCAL NOTE REQUIRED**

**(See attached)**