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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 144, L.D. 201, “Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education”

Amend the resolve by striking out all of section 1 and inserting the following:

**'Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in Section II.19, Section IV.2.B and Section VI.2.A to strike the term "Individualized Educational Program (IEP) Service Coordinator" and restore the term "Individualized Educational Program (IEP) Case Manager" in alignment with federal regulations adopted for Part B of the federal Individuals with Disabilities Education Act;

2. The rule must be amended in Section IV.2.E, which concerns the local policy developed by an Intermediate Educational Unit (IEU) or a School Administrative Unit (SAU) on the referral of a child to an Individualized Education Program (IEP) Team, by amending the timeline for additional evaluations needed for a child to require that the IEU must send a consent to evaluate form to the IEP Team within 15 days;

3. The rule must be amended in Section V.1.A, which concerns the initial evaluation of whether a child age 3 to age 20 is a child with a disability, by adding language that indicates that the initial evaluation must consist of procedures to determine if the child is a child with a disability and to determine the educational needs of such child, and in Section V.1.A(3)(a)(ii) by deleting language that indicates that, following the completion of the initial evaluation, the SAU shall proceed to determine the educational needs of the child;

**COMMITTEE AMENDMENT**

