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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 66, L.D. 98, “An Act to Update the Special Education Laws”

Amend the bill by striking out all of sections 1, 2 and 3 and inserting the following:

**'Sec. 1. 20-A MRSA §7001, sub-§1-B, ¶B,** as amended by PL 2011, c. 542, Pt. A, §21, is further amended to read:

B. For children at least 3 years of age and under ~~20~~ 22 years of age evaluated in accordance with the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1414, subsections (a) to (c) as measured by both standardized, norm-referenced diagnostic instruments and appropriate procedures with delays or impairments such that the children need special education:

- (1) A child at least 3 years of age and under 6 years of age with a significant developmental delay, at the discretion of the intermediate educational unit or school administrative unit, as defined in rules adopted by the department, in one or more of the following areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; adaptive development; or
- (2) A child with at least one of the following:
  - (a) Intellectual disability;
  - (b) ~~Hearing impairment, including deafness~~ Deafness, including hearing loss;
  - (c) Speech or language impairment;
  - (d) Visual impairment, including blindness;
  - (e) ~~Serious emotional disturbance~~ Emotional disability;
  - (f) Orthopedic impairment;
  - (g) Autism;
  - (h) Traumatic brain injury;

**COMMITTEE AMENDMENT**

- 1 (i) Other health impairment;
- 2 (j) Specific learning disabilities;
- 3 (k) ~~Deafness and blindness~~ Deaf-blindness; and
- 4 (l) Multiple disabilities.

5 **Sec. 2. 20-A MRSA §7201, sub-§2-A, ¶B**, as enacted by PL 2005, c. 662, Pt. A,  
6 §22, is amended to read:

7 B. Children with disabilities at least 3 years of age and under ~~20~~ 22 years of age,  
8 including children in public or private institutions or other care facilities, must be  
9 educated with children without disabilities. Special classes, separate schooling or other  
10 removal of children with disabilities from the regular educational environment may  
11 occur only when the nature or severity of the disability of a child is such that education  
12 in regular classes with the use of supplementary aids and services cannot be achieved  
13 satisfactorily.'

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
15 number to read consecutively.

16 **SUMMARY**

17 This amendment, which is the majority report of the committee, removes the provisions  
18 of the bill regarding appropriate education and appropriate educational programming and  
19 updates the term "serious emotional disturbance" to "emotional disability."

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**