

125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 662

H.P. 492

House of Representatives, February 17, 2011

Resolve, Directing the Department of Education To Amend Its Rules Pertaining to the Statute of Limitations for Filing a Due Process Hearing Request Regarding Special Education

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

HEATHER J.R. PRIEST

Presented by Representative KENT of Woolwich.

Cosponsored by Representative LOVEJOY of Portland, Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, STRANG BURGESS of Cumberland, WAGNER of Lewiston.

Sec. 1. Rules amended. Resolved: That the Department of Education shall amend its rules in Chapter 101: Maine Unified Special Education Regulation in Section XVI to clarify that a due process hearing request must allege a violation that occurred not more than 6 years before the date the parent or public agency knew or should have known about the alleged action that forms the basis of the due process hearing request.

6 SUMMARY

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This resolve restores to 6 years the statute of limitations for filing a due process hearing request in special education matters.