

## **LD 1098, An Act to Ensure Equal Access to a Full School Day for All Students**

I am writing in **opposition** to LD 1098, an Act to Ensure Equal Access to a Full School Day for All Students. Much of this proposed law already exists now in Maine Special Education regulation, but I am very concerned that this proposal considers altering the IEP decision-making process for placement changes, confusing a well-established process of determination that has been in place for many years.

Maine's current special education rules strictly regulate the use of abbreviated school days, and cover most areas addressed in LD 1098:

- Abbreviated school days can be used only if the IEP team determines that the use of such days are necessary "based upon the child's individualized educational needs or based upon the child's individual medical needs." MUSER VI.2(L)
- Require regular team meetings to develop and implement a re-entry plan for the student to be back to full day attendance with a required review meeting that must occur within 45 calendar days, and subsequent meetings every 20 school days until the student is in school full time. MUSER VI.2(L)(1).

Student placement decisions are made by the entire IEP team, a team that includes parents. While parental consent isn't required for changes to occur, parents do have the right to challenge the team's decision by filing a complaint with the Maine DOE, which has the authority to make a final ruling. Under this proposed change, though, that final say would rest solely with parents, rather than with school staff, medical or mental health experts or impartial reviewers.

LD 1098 may be trying to protect how much time students spend in school, but it misses the point that, sometimes, shorter school days are actually what's best for certain students with medical or learning challenges. These decisions aren't made lightly—they're carefully planned by the IEP team, which includes parents, and are not commonplace. A shorter day can help reduce a student's stress and make it easier for them to ease back into school without feeling overwhelmed. Gradually increasing their time at school helps them build stamina, confidence, and good routines, while still keeping up with their learning. It can also help them stay in their local school rather than being sent to a more restrictive placement elsewhere.

LD 1098, though well-intentioned, could create unnecessary barriers and eliminate a carefully regulated support option for students with significant educational needs. While I recognize the challenges abbreviated school days can pose for families, I advocate for the small group of students who, due to complex needs, cannot manage a full school day at certain points in their education. In these cases, the IEP team must have the flexibility to provide the right support based on the student's immediate needs.

Thank you for the work that you do for our students and for your consideration of my concerns. I am always available for any questions you may have.

Thank you for your time,



Kathy Hamblen

Director of Special Services, Gorham