



RSU 87 / MSAD 23
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Testimony in Opposition of LD 1098

Senator Rafferty, Representative Murphy, and Distinguished Members of the Education and Cultural Affairs Committee, my name is Lesley Snyder and I am the Director of Special Services for RSU 87 and the current President for the Maine Administrators of Services for Children with Disabilities (MADSEC). Thank you for the opportunity to provide testimony pursuant to LD 1098: *An Act to Ensure Equal Access to a Full Day for All Students*, to which I write in opposition.

As a Director of Special Services for over twenty years, I have devoted my entire career to serving students with disabilities, and their families, as intended by the Individuals with Disabilities Education Act (IDEA) and the Maine Unified Special Education Regulations (MUSER). I fully support the rights of students with disabilities and am dedicated to ensuring all students with disabilities are accessing a free, appropriate public education (FAPE), through *the* least restrictive environment (LRE). LD 1098 strips the IEP team of that (federally established) process with a broad assumption that all students *must* entirely access what their non-disabled peers access and to do so equally. LD 1098 contradicts the very intent of IDEA by suggesting that all students with disabilities have equal needs rather than recognizing and emphasizing their individual needs.

Maine's Unified Special Education Regulations (MUSER) already provide clear and comprehensive guidance regarding the use of abbreviated school days for students with disabilities. Under these rules, if an abbreviated day is deemed necessary by an Individualized Education Program (IEP) team, including the parent, the team must:

(a) Address how the child will meet the system of learning results (which may include a core of standards in English language arts and mathematics for kindergarten through grade 12 established in common with other states), and receive full access to the general curriculum and services on the IEP, as determined by the individual child's need;

(b) Address how the child will participate in local and statewide assessments;

(c) Develop a revised IEP with a re-entry plan for the child to return to a full-time school day within a reasonable period of time, no longer than 45 calendar days; and,



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(d) Delineate in the revised IEP with the re-entry plan the actions the SAU will take to assist the child to participate in a full day of school; and

(e) Document in the Written Notice the basis for the determination of an abbreviated school day and how the determination is based on the individual needs of the child.

In addition, if a student does not return to a full schedule within the 45-day timeframe, MUSER mandates that the IEP team reconvene every 20 school days to review progress and continue planning for a full-day return. Importantly, MUSER prohibits the use of abbreviated days as discipline or punishment.

These decisions are not made lightly. They involve collaboration among parents, clinical providers, and educators, with frequent review to ensure that students make consistent, timely progress toward reintegration. Abbreviated school days are sometimes a critical part of a structured, therapeutic plan designed to reduce student anxiety, prevent emotional overload, and help students build stamina and confidence. When used appropriately, this approach can prevent more restrictive placements and allow students to remain in their local schools and communities.

Although rarely used in my 20+ years in RSU 87, I have witnessed a few students benefit from abbreviated schedules due to their unique circumstances, such as a severe concussion or severe anxiety. In these cases, the IEP team met and developed a plan to address their unique needs, which included an abbreviated school day. The use of an abbreviated day, in these cases, allowed the students to engage in a gradual increase in school participation, reduced their anxiety and allowed the students to safely return to a full school day.

LD 1098, while well-intentioned, does not recognize the procedural safeguards already in place. Rather than improving outcomes, it could unintentionally introduce procedural barriers that limit flexibility and undermine support for students with unique needs. For example, the bill proposes a new requirement for written parental consent, including the ability to withdraw that consent at any time. While parental involvement is essential, and already guaranteed under IDEA and MUSER, adding new consent requirements could lead to unnecessary delays. Often, even when parents participate fully and agree with the team's decisions, obtaining written signatures can be difficult and time-consuming. This delay can hinder the timely implementation of individualized plans tailored to immediate student needs.



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LD 1098 states “A school may not consider, recommend or implement an abbreviated school day program due to a lack of school resources, including, but not limited to, staffing resources,

training resources and supportive services.” I do not believe the use of an abbreviated day due to the lack of school resources is the intent of special education regulations. If abbreviated days are being misused in isolated cases due to staffing shortages, those situations should be addressed locally, not through broad legislation that could harm students who genuinely benefit from these carefully developed programs.

I respectfully urge the committee to oppose LD 1098. Let us continue to uphold the principles of IDEA and MUSER by trusting IEP teams, including families, to make informed, individualized decisions that best support each student’s educational success.

Thank you for your consideration, time and dedication to Maine’s students.

Educationally,

Lesley Snyder

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