

February 11, 2026

Re: Information regarding **LD 2020**, “An Act To Update Department of Education Reporting Requirements”

Chairman Rafferty, Chairman Murphy, Distinguished Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Alan Cobo-Lewis. I live in Orono. I am director of the Center for Community Inclusion and Disability Studies at the University of Maine (CCIDS).

CCIDS is Maine’s federally funded University Center for Excellence in Developmental Disabilities (UCEDD, pronounced “YOU-said”, authorized by the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 (“DD Act”). The purpose of the national network of UCEDDs is to provide leadership in, advise federal state and community policy leaders about, and promote opportunities for individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life. Part of the federal mandate of CCIDS is to educate and advise policymakers, including members of the state legislature. Consistent with CCIDS responsibilities under the DD Act and consistent with University of Maine Board of Trustees policies [212](#) and [214](#), I am offering information about the bill for myself and for CCIDS, not for the University of Maine nor for the University of Maine System as a whole.

Child Development Services (CDS) data is among the areas where LD 2020 would change reporting requirements, by replacing 20-A MRSA §7209(4)(E) with new 20-A MRSA §7209(4)(E-1).

It would improve legislative oversight of quality improvement if the new provisions in statute included the following:

1 Unmet Needs

Children eligible for services from CDS have experienced unmet needs, and CDS has recognized the obligation to offer compensatory education when it failed to meet its legal obligation to provide a free appropriate public education (FAPE).

In order to permit the Legislature to track progress on unmet needs, 20-A MRSA §7209(4)(E)(2)(k) requires reporting on “the number of children who received direct services in the prior year who received all of the services in their individualized family service plan or individualized education program and the number of children who received direct services in the prior year who received less than 90% of the services in their individualized family service plan or individualized education program”

LD 2020 would eliminate reporting on this critical data element.

While it may be reasonable to change the details of *how* to report on unmet needs, it seems unwise to eliminate such focused reporting on unmet needs altogether. It would put the Legislature in a stronger

position of oversight—and support young children with disabilities—if new 20-A MRSA §7209(4)(E-1) could incorporate some version of the language in existing 20-A MRSA §7209(4)(E)(2)(k).

2 Trends Over Time

Also missing from LD 2020 is a requirement to report trends in most of the indicators. (LD 2020 does require trends to be reported on an undefined set of measures, but it doesn't require reporting trends in the specific critical indicators enumerated in the bill.) While trends over time are, in theory, accessible by comparing one year's report to those from previous years, this is unlikely to occur in practice—which would make it difficult for the policy-making body to distinguish areas of success from areas needing focused attention. For example, how can the Legislature be guaranteed to be able to easily monitor changes in rate of unmet needs? How can the Legislature be guaranteed to be able to easily monitor changes in interdepartmental coordination that facilitates referrals from the CDC's early screening programs in Maine DHHS to services provided through CDS in Maine DOE?

It would be beneficial, especially in this time of phased transfer of FAPE responsibility, if the annual report was required to include data for the current year and each of the previous 5 years on each measure listed in 20-A MRSA §7209(4)(E-1)—or perhaps even longer than the previous 5 years, as the FAPE transition may be more extended in time than originally envisioned.

This would not create a data collection burden on DOE—it would just mean that DOE would have to include data in *all critical indicators* from previous reports in the newest report so that trends in enumerated indicators would be accessible.

3 CDS and SAUs

With all the shortcomings that have been identified in CDS, one of the strengths has been that there is a robust data collection regime so the executive and legislative branches—as well as other stakeholders—can monitor program performance for the benefit of young children with disabilities. A concern in the proposal for transitioning FAPE from CDS to School Administrative Units (SAUs) has been that the data collection and reporting not be lost. Unless we collect and report consistent measures on children in CDS and children in SAU, how can we know whether the move to SAUs has improved the situation for Maine's young children with disabilities?

For this reason, it would be beneficial if all the measures in 20-A MRSA §7209(4)(E-1) that pertain to program performance were required to be made for (i) CDS, (ii) SAUs, and (iii) the aggregate of CDS and SAUs.

This would allow the Legislature to track CDS performance, SAU performance, and the total performance in supporting Maine's young children with disabilities.

Respectfully,

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