

## §7405-D. Statewide education and family services; site-based programs

**1. Free, appropriate public education responsibility.** The school administrative unit is responsible for providing a free, appropriate public education pursuant to chapter 301 and Part B of the federal Individuals with Disabilities Education Act, Public Law 91-230, for deaf and hard-of-hearing students at that school administrative unit receiving services delivered by the center. When a student attends a site-based program, the student's sending school is responsible for providing a free, appropriate public education as required under Part B of the federal Individuals with Disabilities Education Act, Public Law 91-230.

[PL 2021, c. 646, §8 (NEW).]

**2. Responsibility for statewide education and family services.** Responsibility for providing statewide education and family services pursuant to Part B of the federal Individuals with Disabilities Education Act, Public Law 91-230, is as follows:

A. The center is responsible for:

- (1) Any specially designed instruction. The center shall ensure staffing to support a child's individualized education program services;
- (2) Any speech-language services. The center shall ensure staffing for speech-language consultation services;
- (3) Any consultation services, including but not limited to consultations with teachers of deaf students, speech-language pathologists, special education providers, American Sign Language specialists, interpreters and social workers;
- (4) Parent training and counseling in American Sign Language and cued language;
- (5) Evaluations in speech language, functional listening and American Sign Language;
- (6) Statewide coordination of hearing assistive technology;
- (7) Statewide coordination of American Sign Language interpreting services and cued speech transliteration services;
- (8) Statewide social-emotional programming; and
- (9) Behavioral analysis provided by or performed under the supervision of a person certified by a national board of behavior analysts; and [PL 2021, c. 646, §8 (NEW).]

B. The sending school is responsible for:

- (1) American Sign Language interpreting services and cued speech transliteration services in the sending school's district for students; and
- (2) Transportation to and from extracurricular events hosted by the center. [PL 2021, c. 646, §8 (NEW).]

[PL 2021, c. 646, §8 (NEW).]

**3. Responsibility for services at site-based programs; center.** The center is responsible for providing the following services at site-based programs that are specific to deaf and hard-of-hearing students:

A. The costs of transportation and other related services as defined by section 7001, subsection 4-B, including the following related services:

- (1) Speech-language therapy, including listening and spoken-language services;
- (2) Audiology services in conjunction with the student's managing audiologist;
- (3) Occupational therapy;

- (4) Transportation for students attending site-based programs from towns other than the host school towns;
- (5) American Sign Language interpreting services for educational programming;
- (6) Extended school year services;
- (7) Evaluation for the following:
  - (a) Occupational therapy services;
  - (b) Speech-language therapy;
  - (c) American Sign Language services;
  - (d) Psychoeducational services;
  - (e) Academic achievement services; and
  - (f) Functional listening services;
- (8) Observations in the learning environment;
- (9) Behavioral support services and planning, including functional behavioral evaluations and behavior intervention plans;
- (10) Specially designed instruction;
- (11) Social work services;
- (12) Behavioral analysis provided by or performed under the supervision of a person certified by a national board of behavior analysts;
- (13) Cued speech transliteration services for educational programming;
- (14) Transition planning;
- (15) Remote hearing technology services designed for educational use;
- (16) Acoustic consultation, including measurement of unoccupied classroom noise levels and observation of the environment, in order to make recommendations for acoustically appropriate treatment;
- (17) Educational technician services in general education classes;
- (18) Social-emotional programming; and
- (19) Boarding for high school students.

The center shall pay the room and board costs for each student who is eligible for room and board and placed in a high school site-based program through funds appropriated by the State. [PL 2021, c. 646, §8 (NEW).]

[PL 2021, c. 646, §8 (NEW).]

**4. Responsibility for services at site-based programs; sending school.** The sending school is responsible for providing any special education or related services not listed in subsection 3, paragraph A necessary for the provision of a free and appropriate education at a site-based program, including but not limited to:

- A. Physical therapy and physical therapy evaluations; and [PL 2021, c. 646, §8 (NEW).]
- B. Extracurricular activities, including but not limited to fees, interpreting services and transportation costs when no accommodations are listed on the individualized education program for that student. [PL 2021, c. 646, §8 (NEW).]

Beginning in the 2022-2023 school year, the costs of related services not listed in this subsection are the responsibility of the sending school.

[PL 2021, c. 646, §8 (NEW).]

**5. State and federal educational services requirements.** The Mackworth Island preschool, statewide education and family services and site-based programs must comply with all standards for state public schools and must comply with all federal and state laws and department rules for the provision of educational services to children with disabilities.

[PL 2021, c. 646, §8 (NEW).]

#### SECTION HISTORY

PL 2021, c. 646, §8 (NEW).

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