

TESTIMONY

In support of

LD 552: “An Act to Strengthen the Individualized Education Program Process”

Grace Leavitt, President, Maine Education Association

**Before the Joint Standing Committee on
Education and Cultural Affairs
March 22nd, 2021**

Senator Rafferty, Representative Brennan, and esteemed members of the Committee on Education and Cultural Affairs,

My name is Grace Leavitt. I am a Spanish teacher on leave from Greely High School while serving as President of the Maine Education Association. The MEA has nearly 24,000 members—faculty and staff in our pre-K-12 public schools, our institutions of higher education, and many dedicated retired educators.

I am speaking on behalf of our members in support of LD 552: “An Act to Strengthen the Individualized Education Program Process” as amended.

MEA believes that most districts do the right thing and do it for the right reason. But unfortunately, we have heard that there are instances where decisions seem to be made that may not be based solely on the right reason but rather seem to be influenced by the cost involved. We know that the federal government has failed for a very long time to fund IDEA at the level that they are required to do so—in fact, they have fallen way behind in the appropriate amount of funding. We know this then places an ever greater burden on the school districts in our state to make up the difference. Naturally districts have to be careful, given the limitations of the budgets that communities will support. We hope that these constraints do not enter into decisions about what our most vulnerable students may need, yet we worry that at times they seem to. We have also heard that because an hourly employee may have to be paid overtime, that is why an educational technician who works directly with a special needs student to provide support is often not included in an IEP meeting, even though that educator may know the student best.

We understand that the sponsor of the bill is proposing an amendment to this bill, which we support. The intention of the amendment is to mirror the process in our neighboring state of New Hampshire. Given the fact that we have educators and families that interact across the state border, this amended language will provide continuity for those in this situation. Since New Hampshire has operated under this law for years, that should allay any concerns about the proposal being contrary to IDEA.

We understand the concerns that you will hear from those who oppose this change. Some parents may make what seem to others to be unreasonable requests or may request services that are not needed. And some districts may be trying to cut corners to save on costs. Nonetheless, MEA believes that reaching consensus on any changes to an IEP plan is what is in the best interests of the students; that is what this bill is all about. MEA also believes that having the voices of those who work most closely with the student included in the process is also in the best interests of the students that we educate and support.

We urge your support of LD 552 as amended.

Thank you for your time, and I am glad to answer any questions.

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