

March 18, 2021

To Members of the Education and Cultural Affairs Committee,

Upon review of LD 552: An Act to Strengthen the Individual Education Program Process, we believe that the proposed changes are not in the best interest of students with disabilities. It is the school district's responsibility to develop and implement an IEP that is student-centered and focused on the child's strengths and individual area(s) of need in order to provide the student with a free and appropriate public education. Our belief and practice is to work collaboratively as an IEP Team and strive for consensus, which is often the case, however there may be times when consensus cannot be reached, and our ultimate responsibility is to the child and their educational needs. If passed, this bill would require that a student remain in their current programming, which may not only be inappropriate, but detrimental to the child, until such time that the matter can be resolved through legal venues. Such a procedure could take several weeks or months to be resolved, and this not only impacts school districts financially, but more importantly leaves the student with inappropriate programming for an undetermined amount of time. This is unfair to the child and such a situation could have a significant, negative impact on the child academically, functionally, and emotionally. Our current Chapter 101 Maine Unified Special Education Regulations allow for determinations to be made on behalf of the child's educational needs and parents the right to appeal if they disagree with the determination. We must continue to be able to make educationally sound decisions for children in a timely manner and not put their needs behind adult disagreements.

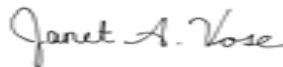
Additionally, the second part of LD 552 allows any person who works with the child to determine their presence is needed at the IEP meeting, which, if scheduled during the work day, will result in students not receiving instructional programming and safety risks given a lack of appropriate supervision. Currently, administration carefully plans and schedules IEP meetings with parents to ensure the required IEP team members are invited and present at the meeting. If passed, LD 552 removes this administrative oversight and further complicates the IEP team process.

Thank you for considering our professional input and concerns as we oppose LD 552 and strongly believe it would not bring a positive change for our students with disabilities.

Respectfully Submitted,







Katahdin Area Special Education Directors,

East Millinocket/Medway/Woodville School Departments, RSU #89, SAU #31, RSU #67 and
RSU #50/SACS-922