

Debora B. Murphy, M.Ed.

KIDS RSU #2

servicing communities of Dresden, Farmingdale, Hallowell, Monmouth, and Richmond

Testimony LD552 - An Act to Strengthen the Individualized Education Program Process

Good afternoon Senator Raftery, Representative Brennan, and distinguished members of the Joint Standing Committee on Education and Cultural Affairs, my name is Debora Murphy I am a certified special education administrator with over 30 years experience working in special education in Maine and currently the president of MADSEC.

We are in a pandemic, for the past year, public school educators have championed the efforts of building meaningful relationships with families, have entered homes remotely continuing the provision of free appropriate public education, and have focused on challenging goals for the individual student to make academic and functional progress. LD552 works against the efforts of Maine's special educators and school teams. IEP teams collaborate to develop individualized programs for the individual student to access the least restrictive setting. The essence of LD552 creates opportunity for anyone in the IEP team meeting to put a student's plan on hold. The amended language calls for written consent of the family prior to any change in programming. Please be aware there are IEP teams that serve as the student's most important adults in school - any change to the program could not happen for some students whose families do not attend meetings, do not come to school, or return paperwork - yet trust the teams and special educators working with their child.

The second proposed change in the law again accentuates the difficulty. It permits any staff member who works with the child to make him or herself a member of the team. This would add one more person who could block the team from reaching consensus, and put needed changes for the child on hold. Often times the IEP team advocates for students to be included in the general education setting. The advocacy comes in discussing accommodations, modeling accommodations, to promote inclusion. Any staff member can block this access to the general education setting by preventing the team reaching consensus.

Beyond this, school administrators need to be able to decide where staff needs to be in the building to maintain student safety. If an educational technician decides he or she should attend the meeting, and as a result, a very needy child goes without necessary support during the meeting, this is of course a very bad thing and could result in under-supervised circumstances for our neediest children. Administrators on the ground in the school building usually know best where and when supervision is required. They should be permitted to make decisions about attendance, as long as the persons who are required by law to be in attendance are in attendance. In general, schools and IEP teams work with families in maintaining frequent communication, sharing daily data sheets, and parent consultation in such a way that families have knowledge of the student's day. Families can and do ask for support staff to be part of IEPs and teams work to accommodate the request - while maintaining student supervision in the school.

The federal law, and Maine law currently, require that a regular educator and special educator for the child be in attendance. Administrators should be able to decide whether others attend, and very often they do attend.

The proposed legislation also carries potential for increased financial impact for school districts and families. When the mechanism to change a student program is dispute resolution, due process, or appeal this will create yet more costs for school districts. There is a current provision for decision making when the IEP team cannot come to agreement. The proposed legislation provides many opportunities to negatively impact student programming, local school budgets, and has the potential to change a climate of collaboration and team work.

Special educators work tirelessly for students and families. The retainment of special educators will become more of a challenge should LD552 pass. Please support the important work special educators take on by supporting ought not to pass for LD552 - An Act to Strengthen the Individualized Education Process.

Best,

District Administrator of Special Education Services

President MADSEC

dmurphy@kidsrsu.org || c: 207.458.9811

Debra B. Murphy, M.Ed.
KIDS RSU #2
serving communities of Dresden, Farmingdale, Hallowell, Monmouth, and Richmond

District Administrator of Special Education Services
President MADSEC
dmurphy@kidsrsu.org || c: 207.458.9811