Steven Ocean
231 Hopkins Road
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To: Members of the Cultural Affairs and Education Committee
RE: LD 552 Comment
March 18, 2021

I am a recent retiree (July, 2020), spent twenty years as a Special Education teacher and twenty-one as a Special Education Director and Assistant Director, thirty-one of those years in Maine, the last twelve in RSU 40. In my capacity I attended and chaired thousands of IEP meetings.

Overwhelmingly, in my experience, when run properly, IEP meetings effect changes that help students to succeed in the general curriculum. The process works, parents and other team members work together to come up with a plan that is laid out to give the student an opportunity to be successful.

The changes proposed in LD 552 will serve to hinder the workings of the IEP team and for some students will be a detriment to their education. The most disturbing aspect of the proposal is that it requires consensus of all members of the team before an IEP can be implemented. Any member of the team can block a change and force a dispute resolution process. This process, while necessary on occasion, is draining, time consuming and makes adversarial relationships occur. Important programming for students can be delayed as procedural issues become the priority. Often, well-meaning staff members may see changes that from their perspective are needed for a child but do not fully understand the big picture of how the student is functioning. They also may not have a full understanding of the Special Education regulations which are complicated. Under current law, as it should be, parents have many rights and much input into the IEP development. In my experience they are given deference to many changes in meetings.

Another disturbing aspect of the proposed law is the right for all staff members who work with the student to make themselves part of the team. In the real world of school schedules especially high schools, it is not always possible for everyone who works with the students to be at the meeting. Input can be received in writing by way of a report. Current law requires that a regular educator and a special educator for the child be in attendance. The Administrators and Special Education case managers often struggle to get enough coverage for everyone to attend. The decision on who attends needs to be left to the administration.

In the many thousands of IEP team meetings I attended there were very few that ended in disagreement where the administrator had to decide that a parent or staff member disagreed with. The system as I have witnessed it works for our students. There are times when schools make mistakes and need to be held accountable, there is a system in place to make this happen. There are agencies to help parents articulate their concerns and advocate for their children, there are other resources to help parents as well. Perhaps, if there is a perceived problem with how IEP teams are working these need to be beefed up.

Thank you for allowing my input.

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