

Cristin Rioux
South Portland

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South Portland, ME 04106

March 24, 2021

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

Dear Senator Rafferty, Representative Brennan, and Members of the Education and Cultural Affairs Committee:

I am writing to share my concerns regarding LD 552, An Act to Strengthen the Individualized Education Program Process. In spite of the bill's intent, it will have a negative impact on students and I urge you to vote against the change in the bill.

In my career, I have taught elementary, middle, and high school. In every situation, time has been an issue. There is never enough. This bill could make this even more of a challenge for children who could get caught in a lengthy due process issue. Initiating and holding hearings is not a simple process and could leave a child in a detrimental holding pattern.

Besides the complicated nature of the hearing process, there is the potential for several teachers and ed techs to lose time with their classes and students as well. If multiple teachers and ed techs are requested at the IEP meeting schools will struggle with coverage and students will not be with their assigned teachers and ed techs. The same will be true if these teachers and ed techs need to attend hearings as a result of not reaching a consensus in an IEP meeting. Many districts schedule IEPs during the school day and hearings are always during the day.

This bill also seems to be written for a utopian community where all students live with a parent and that parent is always accessible and able to engage in this new process with no barriers of their own. In our district of South Portland we have students who live with guardians and not parents, children who are in foster care, children and families who are homeless, children whose parents are struggling with substance abuse, and children whose parents don't speak English, never mind how to understand and sign every possible IEP change. These parents often trust that the education professionals will make the best decisions in a timely manner to help their children. Not signing a written document does not mean that these adults are not part of the process but that time is important in order to best help a child get what they need.

Presently parents and guardians do have an avenue available to them if they disagree with the IEP process or if there is no consensus. What this bill does is create a more cumbersome, time-consuming litigation process that instead of putting the needs of the child in the forefront transfers it to the disagreement between the parties.

The bill implies that ed techs want to be a part of the meetings, are willing and/or able to stay after school (don't have second jobs or their own children to care for after school). There is no wording that states they can refuse. Nor does it address that teachers could be invited to every IEP meeting that occurs if they work with students in multiple grades. I have attended many meetings in our district where the ed techs have been asked to share, in written form or in person, at an IEP, but they are not required to do so. Again, this seems as it should be addressed at the district level and not as law.

This bill, though well-intentioned, seems to focus on particular districts' IEP practices and therefore should remain a district issue. LD 552, An Act to Strengthen the Individualized Education Program Process, is not in the best intentions of many of our students.

Sincerely,

Cristin Rioux
Teacher, D. Mahoney Middle School

Vice-President, South Portland Teachers Association