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April 5, 2021

Re: LD 552, An Act To Strengthen the Individualized Education Program Process

Senator Rafferty, Representative Brennan, and members of the Education and Cultural Affairs Committee, my name is Cullen Ryan, and I am the Executive Director of Community Housing of Maine or CHOM, the largest housing provider for homeless populations in Maine. Our staff of 11 works collaboratively with 48 different service provider organizations to effectively and efficiently house well some 1100 of Maine's most vulnerable people, including more than 100 people with intellectual/developmental disabilities (ID/DD). I am also a parent of a 24-year-old son with ID/DD. In addition to being a parent, I serve as Chair of the Maine Coalition for Housing and Quality Services, a coalition of some 4000 people, consisting primarily of parents, that focuses on housing and quality services for people with intellectual/developmental disabilities (ID/DD). Ultimately, the goal of the Coalition is to create a system of quality housing and personal supports that is person and family centered, with choice, dignity, and efficiency being at the forefront of efforts. I also serve as chair the Maine Developmental Services Oversight and Advisory Board (MDSOAB) Board.

Though the Public Hearing has already occurred, I wanted to provide testimony in advance of the Work Sessions in support of LD 552, An Act To Strengthen the Individualized Education Program Process.

As the parent of a son with ID/DD, and the Chair of the Maine Coalition for Housing and Quality Services and the Maine Developmental Services Oversight and Advisory Board (MDSOAB), I am very familiar with the Individualized Education Program (IEP) Process, and know first-hand that it ought to be strengthened. This bill aims to do just that.

LD 552 requires that changes to a child's IEP may be made only with the consensus of the IEP team, and particularly with parents' (or family members' or guardian's) involvement and consent. If the team is unable to reach consensus on proposed changes, the IEP in effect at the time of the proposed changes remains in effect. Either party can then request mediation or other dispute resolution. This is a common sense approach to individualized education planning for children with ID/DD.

Under current law, Maine school districts may make substantive changes to a student's IEP without parents' consent as long as they provide parents with prior written notice of the changes. If parents disagree with the school district's proposals, they must utilize a due process hearing to do so, which is both difficult to navigate for parents already struggling every day, and quite costly overall. Including parent involvement and consent prior to implementing changes in the IEP avoids this, and is best for all involved, most especially the child for whom the plan is designed.

LD 552 improves the IEP process by ensuring that every expert at that table has a voice – including parents and the educators who work most closely with the student. It does this simply – by assuring that plans can't change without agreement. In fact, at least 12 states require parental consent, or consensus, before changes are made to a student's IEP.

The bill also requires that the IEP team allow an ed tech, who provides services to a child on a regular basis and who often knows the child best, to participate in a team meeting if a parent or other team member requests it. This is again a common sense approach to ensuring IEPs truly are individualized, can be actualized, and are in the best interest of the student with ID/DD.

Thank you for the opportunity to comment.