

125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 326

H.P. 259

House of Representatives, February 7, 2011

An Act To Require That School Administrative Units Bear the Burden of Proving That an Individualized Education Program Is Appropriate

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Heather J.R. PRIEST

Presented by Representative KENT of Woolwich.

Cosponsored by Senator ALFOND of Cumberland and Representatives: LOVEJOY of Portland, NELSON of Falmouth, STRANG BURGESS of

Cumberland, VOLK of Scarborough.

1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 20-A MRSA §7207-B, sub-§1, ¶D, as amended by PL 1999, c. 424, Pt. A, §8, is further amended to read:
4 5 6 7	D. The procedures for conducting the hearings, including placing the burden of proof on the administrative unit in a hearing to determine whether an individualized education program developed by the administrative unit meets the needs of a child with a disability; and
8	SUMMARY
9 10 11	This bill places the burden of proof on a school administrative unit in a due process hearing to determine whether the individualized education program developed by the school administrative unit meets the needs of a child with a disability.