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Resolve
123rd Legislature
First Regular Session

Chapter 94
H.P. 1335 - L.D. 1901

**Resolve, To Analyze the Feasibility of Establishing an
Education Bill of Rights for Deaf and Hard-of-hearing Children**

Sec. 1 Analysis of basic education rights proposed for deaf and hard-of-hearing children. Resolved: That the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf shall jointly convene a working group to analyze the feasibility of establishing basic education rights for deaf and hard-of-hearing children. The working group shall consider the legislative initiatives proposed during the First Regular Session of the 123rd Legislature, including analyses of the following issues:

1. The eligibility of any infant with a documented hearing loss, prior to demonstration of any developmental delay, for early intervention services through the Child Development Services System;
2. The establishment of an individualized communication plan as part of the individualized family service plan or the individualized education plan established for each deaf or hard-of-hearing child who has been determined to be a child with a disability;
3. The involvement of experts in the field of deaf and hard-of-hearing education in the individualized family service plan teams and the individualized education plan teams for each deaf or hard-of-hearing child who has been determined to be a child with a disability;
4. The qualifications of teachers, interpreters and other education personnel who provide professional services to deaf and hard-of-hearing children;
5. The extent to which the basic education rights considered by the working group for deaf and hard-of-hearing children are consistent with or exceed current federal and state rules and laws for deaf and hard-of-hearing children who have been determined to be children with disabilities;
6. The clarification and definition of all terms that pertain to the basic education rights proposed for deaf and hard-of-hearing children;
7. The recodification of all existing provisions contained in the Department of Education Chapter 101 special education rules that pertain to deaf and hard-of-hearing children into a single section of the rules to increase the accessibility of these rules and minimize confusion regarding these provisions;

8. The special challenges that confront small schools and schools located in rural areas of the State pertaining to the fiscal and human resource capacity of these schools to provide education programs for deaf and hard-of-hearing children, including the availability of consultation services, distance learning and telecommunications resources available to schools through the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; and

9. The status of current laws or pending legislation in other states that pertain to the provision of basic education rights for deaf and hard-of-hearing children, including any analyses of current laws or pending legislation that may be available from the National Conference of State Legislatures; and be it further

Sec. 2 Report. Resolved: That, no later than January 31, 2008, the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf shall jointly submit a report to the Joint Standing Committee on Education and Cultural Affairs that includes their findings and recommendations, including suggested legislation, regarding any necessary changes to the current statutes and rules pertaining to early intervention services and the education delivery system for deaf and hard-of-hearing children; and be it further

Sec. 3 Legislation. Resolved: That the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd Legislature to implement its recommendations on matters relating to the report submitted pursuant to section 2.

Effective September 20, 2007