

**Refinements to Maine Unified Special Education Regulations  
Finally Adopted July 19, 2013**

<b>Section</b>	<b>Page</b>	<b>Change</b>	<b>Reason</b>
II Definitions	7	Refined def of informed clinical opinion	Inserted new federal definition of informed clinical opinion
	7	Modified the def. of IEU	State statutory revision Spring 2012
	8	Added definition of Multidisciplinary	Requested by the US Department of Education during the comment period
	8	Added definition of native language	Requested by the US Department of Education during the comment period
	10	Added a definition of Qualified personnel	Clarification
IV Responsibility for Child Find, Early Intervention and Special Education	15-21	Changed references to CDS boards to State IEU or site as applicable	Statute was revised to delete boards
	16	Added parent consent	Federal Part C definition
	17-18	Added federal Part C language regarding health assessment	Verbatim federal language required by the US Department of Education
	18	Added federal Part C language regarding informed clinical opinion	Verbatim federal language required by the US Department of Education
	19	Added federal language regarding family assessment	Verbatim federal language required by the US Department of Education
	20	Added term “post referral”	New term in the federal Part C regulations
	38-39	Added three new items to the Responsibility for Special Education Services – Education in the Unorganized Territories, Maine School of Science and Mathematics, and Charter Schools	Clarification of responsibilities in these three types of schools

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VI. Individualized Plan Team Membership	58	Added language regarding the authorized individual to expend public funds that reflects that the individual has <i>written delegation of that authorization by the responsible SAU to the SAU in which the child is placed.</i>	Clarification of authority
	59	Transition information to be provided to CDS when the child turns age 3	Requested by the US Department of Education during the comment period
	59-63	Changed references from regional board to director	Statutory change deleted boards
VII. Eligibility Criteria and Procedures for Determination	72	Inserted new federal definition of informed clinical opinion	New federal definition of informed clinical opinion
	74	Moved the two paragraphs regarding the need for special education from page 89	To be clear that needs special education and related services is part of the eligibility determination for all the disability types
	83	Added a fourth procedure item under specific learning disability addressing English Language Learners	Clarification
VIII. Eligibility for FAPE	90	Replaced the current regulatory language with the new statute language	Statutory revision and Joint Committee on Education refinement of procedural language
IX. Individualized Plans	92-93	Added federal Part C language re transition from Part C services	Verbatim federal language required by the US Department of Education
	94	Updated the references to the Early Learning Guidelines to Standards and to the Learning Results which may include a core of standards.....	Reflection of new title for the Early Learning and Development Standards and the updated statutory reference to the core of standards
X. Early Intervention and Special Education Services and Settings	108, 119-120	Clarified caseload and case management	Clarification

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	108	Added language that consultation may be provided to special educators by related services personnel or educational consultants.	
	112	Added Teacher of Record	Clarification
	113-115	Updated the qualifications chart regarding how Maine meets the requirements	Revised to reflect what Maine has in place after the HOUSSE
XI. Early Intervention Services and Related Services	127	Added qualified staff for vision services for B-2s	Federal Part C language required by the US Department of Education
	132-133	Added a national standard for qualifications for assistive technology professionals	Maine did not have a qualification standard for this discipline.
	137	Added services provided by a Board Certified Behavior Analyst	Clarification
	137	Added qualification for nutrition services	Federal Part C language required by the US Department of Education
XII Program Approval	139	Added language requiring application requirement to include ‘ <i>capacity to provide a safe, healthy, and appropriate educational environment.</i> ’	Clarification
XVI. Dispute Resolution Procedures	150-178	Refined the language throughout the section to be more reader friendly	Increase readability and added citations for Part C regulations to the appropriate components at the request of the US Department of Education during the comment period
XVIII. Special Education Finance	191	Added national credentials for Assistive Technology Professional and Board Certified Behavior Analyst	Department wanted to include recognized national credentials for these as there is not a state credential for them
	194	Deleted the references to the 140% of the Medicaid rate	Resolve confusion
	196	Added language to clarify written consent under Part B for accessing public insurance	
	197-200	Added federal Part C language re policies related to the use of public benefits or insurance or private insurance to pay for Part C services	Verbatim Part C language required by the US Department of Education