



**child
development
services**

State Intermediate Educational Unit-146 State House Station, Augusta, ME 04333
Telephone (207) 624-6660-Fax (207) 624-6661-TTY-1-888-577-6690

CDS Administrative Letter Number # 10

DATE: July 11, 2008

TO: CDS Regional Board Chairs, CDS Site Directors, CDS State Level Advisory Board

FROM: David Noble Stockford, Policy Director and Team Leader
Debra Hannigan, CDS State Director

RE: Changes in MUSERS, Chapter 101, Section V 1 A (3) (a) i:

Revisions to Maine's Special Education Regulations (MUSERS, Chapter 101) were effective May 16, 2008. A change at V 1 A (3) (a) resulted in the following:

“To determine whether a child is a child with a disability (as defined in 20 USC 1402) within 45 school days of receiving parental consent for the evaluation; and”

The change referenced above constitutes a change in practice for CDS sites and impacts planning on the part of parents, providers, and site personnel to schedule evaluations at regional sites this summer.

The CDS State IEU recognizes that for the summer of 2008, a plan to transition to this requirement is beneficial to the aforementioned parties. To assist with this transition, CDS regional sites will follow the guidelines below:

- CDS regional sites may evaluate children for whom consent for evaluation was received on or before June 30 throughout the summer of 2008.
- CDS sites are not required to evaluate students if consents are received between July 1 to August 17, as these days will not be considered school days by the State for purposes of compliance with the 45 school day timeline.
- CDS sites are allowed to proceed as usual with any consents commencing on the 18th of August.

- CDS sites must proceed with consents that come in on the first day of a site's designated school year. Sites will have 45 school days to complete them as referenced in 101 above.

The data gathered this summer will assist the CDS State IEU to determine next summer's needs. The goal is full CDS implementation of the 45 school day rule after this summer's transition.

For further information, please contact Debra Hannigan, State Director, Child Development Services, at 207/624-6660, or email her at debra.hannigan@maine.gov