

OMB NO. 1820-0030

Expires: 01/31/2026

**ANNUAL STATE APPLICATION UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FOR FEDERAL FISCAL YEAR 2023**

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

Washington, DC 20202-2600

Public Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a currently valid OMB control number. The valid OMB control number for this collection is 1820-0030. Public reporting burden for this collection of information is estimated to average 14 hours per responses, and an average of 25 additional hours for responses reporting data related to significant disproportionality in a given year, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit under 20 U.S.C. 1411 and 1419. If you have comments or concerns regarding the status of your individual submission of this form, please contact Jennifer Simpson at Jennifer.Simpson@ed.gov or at the Office of Special Education and Rehabilitative Services US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Respondents are required to provide the data in Section V pursuant to IDEA section 618(a)(3), which provides the Secretary authority to collect annual data on any information that may be required by the Secretary and 34 CFR §300.647(b)(7), which requires States to report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the "reasonable progress" flexibility in 34 CFR §300.647(d)(2), and the rationales for each, to the Department.

Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A. of this Application.
2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A.:

- a. Section II.A. provides documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
- b. As noted in Section II.A., the State has not completed all issues identified in the FFY 2022 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- a. The State previously submitted documentation of completion of all issues identified in the FFY 2022 conditional approval letter.
- b. The State is attaching documentation of completion of all issues identified in the FFY 2022 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- c. The State has not completed all issues identified in the FFY 2022 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

Section II

A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

<p>Yes <i>(Assurance is given Place a check as applicable.)</i></p>	<p>No <i>(Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)</i> <i>Enter date(s) as applicable</i></p>	<p>Assurances Related to Policies and Procedures</p>
<p>X</p>		<p>1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108.</p>
<p>X</p>		<p>2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110)</p>
<p>X</p>		<p>3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111.</p>
<p>X</p>		<p>4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.324, except as provided in §§300.300(b)(3) and 300.300(b)(4). (20 U.S.C. 1412(a)(4); 34 CFR §300.112)</p>
<p>X</p>		<p>5. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be</p>

		achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120.
X		6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121.
X		7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122)
X		8. Agencies in the State comply with 34 CFR §§300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123)
X		9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124)
X		10. Agencies in the State, and the SEA if applicable, comply with the requirements of 34 CFR §§300.130 through 300.148 (relating to responsibilities for children in private schools), including that to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148)
X		11. The State educational agency is responsible for ensuring that the requirements of Part B are met including the requirements of 34 CFR §§300.113, 300.149, 300.150 through 300.153, and 300.175 and 300.176 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149)
X		12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(1)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during

		the pendency of any dispute under §300.154(a)(3). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154.
X		13. The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155)
X		14. The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E), as amended by the Every Student Succeeds Act; 34 CFR §300.156.
X		15. The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C), as amended by the Every Student Succeeds Act; 34 CFR §300.157.
X		16. All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); as amended by the Every Student Succeeds Act; 34 CFR §300.160.
X		17. Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162.
X		18. The State will not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year, unless a waiver is granted, in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §§300.163 through 300.164.
X		19. Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165)
X		20. In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166)
X		21. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education

		and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169.
X		22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170.
X		23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172.
		23b. <i>(Note: Check either "23b.1" or "23b.2" whichever applies.</i>
		23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to: <ul style="list-style-type: none"> • require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or • purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172)
X		23b.2 The State educational agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172)
X		24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173)
X		25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174.

B. Other Assurances

The State also makes the following assurances:

Yes	Other Assurances
X	1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705.
X	2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.)
X	3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702)
X	4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations.

C. Certifications

The State is providing the following certifications:

Yes	Certifications
X	1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i> , is on file with the Secretary of Education. With respect to the <i>Certification Regarding Lobbying</i> , the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers.
X	2. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154 (or 20 U.S.C. 1412(a)(12)(A)); 34 CFR §300.154(a) are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171.

D. Statement


I certify that the State of Maine can make the assurances checked as 'yes' in Section II.A. and II.B. and the certifications required in Section II.C. of this application. These provisions meet the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) as found in PL 108-446 and the implementing regulations. The State will operate its IDEA Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA, as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2024. (34 CFR § 76.104)

I, the undersigned authorized official of the

Maine Department of Education,
(Name of State and official name of State agency)

am designated by the Governor of this State to submit this application for FFY 2023 funds under Part B of the IDEA.

Printed/Typed Name of Authorized Representative of the State: Pender Makin
Title of Authorized Representative of the State: Commissioner, Maine Department of Education
Signature: 
Date:

Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act—20 U.S.C. 1411(e)(5); 34 CFR § 300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the FFY 2023 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7).) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2).¹ The dollar amounts **listed in the Excel Interactive Spreadsheet** by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State's Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State's application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR § 300.704)

On April 7, 2023, The State Director of Special Services Birth to 22 will meet with the regional representative of the Maine Administrators of Services for Children with Disabilities (MADSEC). The twelve members of the group represent regions throughout the state of Maine. Members are able to provide suggestions for the use of the IDEA funds for the coming fiscal year.

A dispatch was published on the Maine Department of Education's webpage and widely shared through our newsroom asking for public comment regarding the Part B application.

The interactive spreadsheet was also presented during the Part B State Advisory Panel meeting prior to submission

¹Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or \$800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or \$35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) \$800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

- (1) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title;
- (2) identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and
- (3) minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local educational agencies in writing of such State-imposed rules, regulations or policies. (20 U.S.C. 1407(a); 34 CFR § 300.199)

Maine Department of Education Regulation Chapter 101, Section VIII, Eligibility for FAPE for Five Year Olds by IEP Team Determination. This provision allows children who have neem served by Child Development Services (CDS) and have a birth date between July 1 and October 15 to stay in the CDS system another year. A proposed change to this provision was not approved by the State legislature.

Federal law allows a child to "stay put" in the preferred placement when a due process complaint has gone to a hearing; Maine law allows stay-put during the mediation and the state complaint process, as well as the hearing process- a longer period of time. Maine Department of Education Regulation Chapter 101, Section XVI.20.A. A proposed change to this provision was not approved by the State Legislature.

Federal law imposes a one-year statute of limitations for complaint investigations, in Maine, the statute of limitations is one year unless the parent requests a remedy of compensatory services, in which case the statute of limitations is two years. Maine Department of Education Regulation Chapter 101, Section XVI.4.b (3). This provision was identified by staff involvement with due process activities, when asked to review the regulations in 2013 for any that are not required under federal law. It is a compromise position reached by the Legislature in 2010, in response to the Department's proposal to adopt the federal one-year limit.

NOTE: The Department's regulations use different text fonts to distinguish between State and federal requirements. The convention is stated at the beginning of the document so any reader will be aware of the source of a given requirement.

Section V

A. Maintenance of State Financial Support

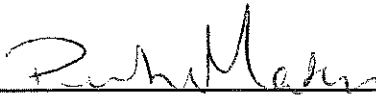
Pursuant to the authority established in IDEA section 618(a)(3), each applicant for funds under section 611 must provide the following State fiscal data with a certification of its accuracy by the State budget office or an authorized representative thereof. Amounts should be shown in whole dollars and are for the State fiscal year (SFY). States may meet the maintenance of State financial support (MFS) requirement in IDEA section 612(a)(18) and 34 CFR § 300.163 on either a total or per capita basis. In order to complete Section V.A. of the Application, States must provide in whole dollars the total amount of State financial support made available for special education and related services for children with disabilities during SFYs 2021 and 2022. However, if a State met the MFS requirement on a per capita basis, it **must** complete the first chart and then may also complete the second chart by providing, in whole dollars, the amount of State financial support made available for special education and related services per child with a disability during SFYs 2021 and 2022.

Total Amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

SFY 2021	\$471,429,081.79
SFY 2022	\$481,309,365.56

Per capita amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

SFY 2021	\$13,572.16
SFY 2022	\$13,469.60

Pender Makin 

 State Budget Officer or Authorized Representative (Printed Name)

 Signature of State Budget Officer or Authorized Representative

 Date

B. Significant Disproportionality

In accordance with 34 CFR § 300.647(b)(7), each State must report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the "reasonable progress" flexibility in 34 CFR § 300.647(d)(2), and the rationales for each, to the Department. Under § 300.647(b)(7), rationales for minimum cell sizes that exceed 10 and minimum n-sizes that exceed 30 must include a detailed explanation of why the numbers chosen are reasonable and how they ensure that the State is appropriately analyzing and identifying LEAs with significant disproportionality based on race and ethnicity, in the identification, placement, or discipline of children with disabilities. Additionally, pursuant to the authority established in IDEA section 618(a)(3), each applicant must also provide the number of years of data it uses in making annual determinations of significant disproportionality. Each applicant must provide this information by completing and submitting the Significant Disproportionality Reporting Form.

All States completed and submitted the **Significant Disproportionality Reporting** Form with their FFY 2020 IDEA Part B application. After the initial submission of the Form, a State will only be required to submit the Form with any future annual IDEA Part B State applications if the State modifies its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

If your State has revised its Significant Disproportionality procedures or has any questions regarding Section V.B. of the grant application, please contact your OSEP State Lead before the Application due date.

**NOTICE TO ALL APPLICANTS:
EQUITY FOR STUDENTS, EDUCATORS, AND OTHER PROGRAM
BENEFICIARIES**

Section 427 of the General Education Provisions Act (GEPA) (20 U.S.C. 1228a) applies to applicants for grant awards under this program.

ALL APPLICANTS FOR NEW GRANT AWARDS MUST INCLUDE THE FOLLOWING INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.

Please respond to the following requests for information:

- 1. Describe how your entity's existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.**

Maine's Part B program is deeply committed to providing high quality, inclusive education to students with identified disabilities. With the support of Maine Department of Education, the Office of Special Services has changed its name to OSSIE (Office of Special Services and Inclusive Education). The Maine DOE continues its commitment to providing high-quality instruction to students with disabilities and variable learning needs with a focus on inclusive classroom instructional practices and settings. Effectively including a diverse spectrum of students with disabilities, learning and cultural variability in the general education classroom requires teachers and school administrators to further develop an understanding of the individual strengths and needs of each student, not just those students with disabilities. Access to general education curriculum and participation in school is a foundation for equity in our state. To this end, the Maine DOE and the OSSIE Team will partner with school administrative units (SAUs) and other stakeholders to provide technical assistance and professional development designed to increase educational opportunities for all students. Further, there will be targeted collaboration with other Department initiatives that support equitable opportunities for children and young adults in Maine.

Maine is compliant with federal regulations established to prevent discriminatory practices, including the following:

1. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education. State Part B Annual State Application: FFY 2023 Section II - 4 OMB No. 1820-0030/Expiration Date – 01-31-2026 and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169.
2. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170.
3. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173)

Maine recently changed certification requirements to require educators in the state to participate in a minimum of three semester hours in diversity-centered content related to today's classroom (e.g., culturally responsive teaching, multicultural education, intercultural education, second language acquisition or world language teaching methods). There is also a requirement to complete an approved course for teaching students with exceptionalities in the regular classroom.

In response to staffing shortages, Maine DOE developed an initiative known as #TeachMaine. There are four prongs to the plan including a workforce diversification goal. Building an educator workforce that reflects the racial, ethnic, and linguistic diversity of the student population has been shown to have positive impacts on student achievement.¹ Teacher identities matter to students' education. Research has shown that matching teacher racial identity with student identity can improve academic achievement, high school graduation rates, and college enrollment rates.² Additionally, all students who have had teachers of diverse race or cultural background are better prepared for success in a global world.³

The diversification of Maine's educator workforce is a top priority for the Maine DOE. The Department recently hired a Director of Diversity, Equity and Inclusion (DEI) to lead internal and external DEI initiatives and professional learning. Additionally, Maine will build on the work of the New England Secondary School Consortium's (NESSC) Diversifying the Educator Workforce Task Force, of which Maine DOE was an active contributor, as well as Portland Public Schools (PPS) initiatives. Both organizations have generated reports with recommendations for the recruitment and retention of diverse educators (NESSC's report: Increasing the Racial, Ethnic, and Linguistic Diversity of the Educator Workforce: A Call to Action for Leaders, PPS's report: Educators of Color Insights Full Report: What Will It Take For Educators of Color to Thrive in PPS?)

In accordance with Section 427 of the Department of Education's General Provision Act (GEPA), the Maine Department of Education and all participating School Administrative Units (SAUs) review existing policies and procedures to ensure that every aspect of the American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) funds application and reopening plans fully aligns with the requirements of Section 427. This review of the Maine Department of Education and the SAU policies occurs prior to the beginning of any approved projects. Upon completion of the reviews steps will be taken, as needed, to revise, modify, or develop new policies and procedures for complete alignment and compliance with Section 427 to ensure equal access and participation to all persons regardless of their race, color, ethnicity, religion, national origin, gender, age, citizenship status, or disability to the programs and services provided by the federally funded ARP ESSER federal emergency grant.

The ARP ESSER application is focused on supporting SAUs to safely reopen and sustain the safe operation of schools and address the disproportionate impact of COVID-19 on underrepresented student subgroups, including each major racial and ethnic group, children from low-income families, children with disabilities, English learners, gender, migrant students, students experiencing homelessness, and children and youth in foster care.

¹ Redding, C. (2019). *A teacher like me: A review of the effect of student-teacher racial/ethnic matching on teacher perceptions of students and student academic and behavioral outcomes*. *Review of Educational Research* 89(4), 499-535.

² Dee, 2004; Easton-Brooks, 2019; Gershenson, 2018

³ Page, 2007; Phillips, 2014.

Professional development, technical assistance and any programming will be offered for all participants and every effort will be made to eliminate barriers to their participating, such as translating written materials from English to another language, or Braille. Specialized electronic equipment and other needed accommodations will also be made available for those who request it.

The State has a comprehensive Affirmative Action Plan (AAP) committed to creating a workforce that reflects the diversity of qualified individuals in the labor market. It is the policy of the state to recruit, hire, train, and promote persons in all job titles, without regard to race, color, sex, national origin, age, religion, marital status, disability, veteran status, sexual orientation, or other extraneous consideration not directly and substantively related to merit or performance. Employment decisions and personnel actions, including, but not limited to compensation, benefits, promotion, demotion, layoff/recall, transfer, termination, and training are based on the principle of ensuring equal employment opportunity and affirmative action.

All the written materials used within Maine's Part B program have been translated into the top eight primary languages spoken by families in Part B including Arabic, Khmer, Mandarin, French, Portuguese, Somali, Spanish, and Vietnamese. Additionally, we have a Special Education Terminology informational document translated in the above languages on the family and student resource pages of our [OSSIE website](#).

2. Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?

Staffing shortages remain the biggest barrier to equitable access of students, educators, and administrators. Understaffed schools make it challenging to meet the requirements of IDEA. Analysis of child find data has identified that challenges to timely evaluation may impede equitable access to Part B programs. Challenges to timely evaluation include ongoing and significant staff shortages in all areas, turnover in special education staff and related services providers, reduced availability of school psychologists to complete evaluations, and limited resources in more rural areas of Maine.

The provisions of Child Find often falls short in meeting the federally required timelines due to shortages in qualified personnel to conduct initial evaluations. A dearth of school psychologists is one of the biggest barriers to a timely response to a referral to special education.

School psychologists collaborate with students, families, educational professionals, and community partners to improve learning, behavior, and mental health for school-aged children and adolescents. The National Association of School Psychologists (NASP) advocates for a ratio of one school psychologist for every 500 students to ensure high quality, comprehensive services (2020). Within the state of Maine, the ratio of school psychologists to students exceeds 1:1500, which means that many school administrative units (SAUs) experience challenges securing sufficient personnel to support students' school psychological service needs (Erin Frazier, Maine Department of Education, personal communication, January 15, 2021).

Due to these shortages, school psychologists in Maine face high evaluation caseloads and have limited time to allocate to the provision of mental and behavioral health services and systems-level supports. The Maine Revised Statutes (20-A §13022) define the scope of services for credentialed school psychologists in accordance with the NASP Model for Comprehensive and Integrated School Psychological Services shown in Figure 1 (NASP Practice Model; 2020). This model highlights school psychologists' preparedness to help schools improve academic achievement, promote positive behavior and mental health, create safe and supportive school environments, strengthen family-school partnerships, improve

school-wide assessment and accountability practices, and advance equitable practices for diverse populations.

3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?

To support a robust and highly trained educational workforce, Maine developed the #TeachMaine initiative. This work is the result of contributions from education stakeholders throughout Maine, who provided feedback via multiple channels, including regional think tanks, focus groups, surveys, organizational meetings, and informal conversations. Additionally, the Department convened an Educator Talent Committee, a core group of internal and external stakeholders, to share their experiences, look at research and trends, and to make recommendations on how to address Maine's educator shortage.

From this work, four major themes emerged: Recruitment and Retention Efforts; Diversify Educator Workforce Efforts; Support Educator Development, Growth, and Leadership; and Elevate Educators and the Education Profession. Within each theme, there are recommended strategies and action steps. These strategies are based on models from Maine that can be expanded, and models from other states that can be adapted.

Maine Special Educator Engagement, Development & Supports (Maine SEEDS) is aligned with the Maine Educator Workforce Strategic Plan (#TeachMaine). The mission of SEEDS is to elevate, expand, engage, and empower Maine special educators to equitably meet the academic, social emotional and behavioral needs of each learner. Special educators include all professionals that support learners with IEPs. This includes teachers, ed techs, administrators, related service providers and support staff.

Maine DOE is providing intensive support to close Corrective Action Plans associated with timely evaluations. Maine DOE provides Zoom meetings, recordings of a CAP-Specific training, and provides on-site visits to provide support and technical assistance. Additional on-site visits are conducted to provide direct staff training and support.

USM and the Maine Department of Education (DOE) are committed to identifying and removing barriers to the preparation of school psychologists to address critical shortages and increase the quality and range of psychological services available to the school-aged population. To this end, USM's school psychology program is collaborating with the Maine DOE to secure special projects funding to support school psychology internships. The primary goal of this project is to expand the number of high quality internship programs within the state in order to produce credentialed school psychologists who possess the competencies needed to provide effective and comprehensive school psychology services within the state of Maine.

The benefits of this project will be significant. Participating SAUs and their students would benefit directly from the services offered by interns, who are expected to complete 20-30 psychoeducational evaluations; provide direct evidence-based services to students; and offer systems-level consultation to strengthen the capacity of schools to support learning for all students. USM and its students also would benefit. USM students would gain access to high-quality, funded training experiences, and the program will benefit from the capacity to recruit larger numbers of diverse students and increase enrollment. Lastly, long-term benefits to the state of Maine will include (a) reducing the ratio of students to school psychologists and thereby providing timelier, more comprehensive school psychology services and (b)

increasing the capacity of current and future school psychologists to provide effective supervision and therefore support the continued growth of the profession.

This year, The Department of Educational and School Psychology at the University of Southern Maine has been awarded a 5-year, \$1.6 million grant sponsored by the U.S. Department of Education’s Office of Elementary and Secondary Education to help increase the number of school psychologists in rural areas of the state.

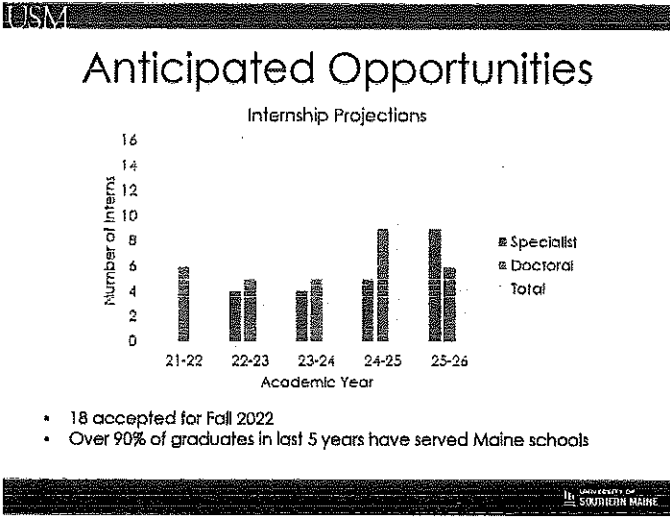
The project, Maine School Psychology: Collaborative Affiliations in Rural Education (Maine School Psychology CAREs), also aims to increase the number of credentialed school psychologists who reflect the diverse backgrounds of students within those communities.

In 2021, Maine was awarded a State Personnel Development Grant (SPDG). The proposed Maine SDPG is part of a comprehensive effort to improve instruction, support rigorous academic standards for students, and improve school climate. The grant aligns with the Maine SSIP focusing on math achievement and provides a strong foundation for the sustainable improvement of the focus areas. Additionally, the grant has a focus on PBIS in order to increase inclusive opportunities for all learners.

4. What is your timeline, including targeted milestones, for addressing these identified barriers?

The timeline to support the barriers to staffing shortages is ongoing. The Maine DOE is working to acquire and analyze data around staffing patterns to further refine efforts to hire and retain high quality educators.

Maine’s collaboration with the University of Southern Maine is currently designed to span 5 years. Anticipated opportunities are posted below:



The program has increased in capacity and the Maine DOE is in frequent communication with participants and program directors to understand the impact across the state.

The new grant award to expand USMs school psychology program to rural areas is designed to provide 22 applicants in several areas across the state to acquire these credentials over 4 years. Through the development of this program expansion, the Maine DOE will continue to support equitable access to resources in some of our most underserved regions.

Maine's SPDG grant began in 2021 and will span 5 years. There is significant data collection and collaboration with stakeholders to maintain effectiveness and sustainability of the initiatives.

Notes:

1. Applicants are not required to have mission statements or policies that align with equity in order to submit an application.
2. Applicants may identify any barriers that may impede equitable access and participation in the proposed project or activity, including, but not limited to, barriers based on economic disadvantage, gender, race, ethnicity, color, national origin, disability, age, language, migrant status, rural status, homeless status or housing insecurity, pregnancy, parenting, or caregiving status, and sexual orientation.
3. Applicants may have already included some or all of this required information in the narrative sections of their applications or their State Plans. In responding to this requirement, for each question, applicants may provide a cross-reference to the section(s) and page number(s) in their applications or State Plans that includes the information responsive to that question on this form or may restate that information on this form.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1894-0005. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this individual collection, send your comments to ICDocketMgr@ed.gov and reference OMB Control Number 1894-0005. All other comments or concerns regarding the status of your individual form may be addressed to either (a) the person listed in the FOR FURTHER INFORMATION CONTACT section in the competition Notice Inviting Applications, or (b) your assigned program officer.