

HB0778/565960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 778

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3, inclusive; after line 3, insert:

“Education – Students With Disabilities – Study of Parental Consent in the Individualized Education Program Process”;

strike beginning with “certain” in line 4 down through “content” in line 10 and substitute “the State Department of Education to convene a certain workgroup in consultation with certain stakeholders to review certain statutes and regulations, make certain determinations, discuss certain issues, and make certain recommendations on or before a certain date; and generally relating to a study of parental consent in the individualized education program process”; and strike in their entirety lines 11 through 26, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with “Section(s)” in line 2 down through “follows” in line 5; after line 5, insert:

“(a) The State Department of Education shall convene a workgroup that consults with stakeholders that include special education directors and teachers from local school systems, the Maryland Association of Boards of Education, related service provider organizations, the Maryland Disability Law Center, the Education Advocacy Coalition, parents from parent-run disability advocacy organizations, the Maryland State Education Association, the Public School Superintendents Association of Maryland, and parents of students with disabilities.

(b) On or before November 15, 2016, the workgroup established under subsection (a) of this section shall:

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HB0778/565960/1 Committee on Ways and Means
Amendments to HB 778
Page 2 of 3

(1) review and make recommendations regarding parental consent and parental participation provisions of special education statutes and regulations in place in other states, including data and information regarding the effectiveness of these provisions;

(2) determine the definition of “parental consent” in this context and how it should be effectuated;

(3) discuss the legal and policy ramifications for obtaining written parental consent before an individualized education program (IEP) team may:

(i) enroll a student in an alternative education program that does not issue or provide credits toward a Maryland high school diploma;

(ii) identify a student for the alternate assessment aligned to the State’s alternative curriculum;

(iii) include restraint or seclusion in an IEP to address a student’s behavior other than when the student poses an imminent likelihood of serious physical harm to self or others;

(iv) reduce or terminate instructional or related services; and

(v) initiate a change in placement;

(4) review and make recommendations regarding the feasibility of authorizing a student with disabilities to attend a public school other than the public school to which the student is assigned, including a school in another local school system; and

(5) report the results of the activities of the workgroup, including recommendations for legislative changes, in accordance with § 2-1246 of the State

**HB0778/565960/1 Committee on Ways and Means
Amendments to HB 778
Page 3 of 3**

Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means.

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 25 on page 3.

On page 3, in line 26, strike “3.” and substitute “2.”; and in the same line, strike “July” and substitute “June”.