

HOUSE BILL 464

F1, O3

5lr1779
CF 5lr1780

By: **Delegates Kaufman, Acevero, Arikan, Cardin, Conaway, Edelson, Feldmark, Foley, Forbes, A. Johnson, Lehman, Lopez, Nkongolo, Patterson, Pena–Melnyk, Phillips, Queen, Roberson, Rosenberg, Ruff, Schindler, Shetty, Simpson, Solomon, Spiegel, Wims, Woods, and Woorman**

Introduced and read first time: January 20, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Special Education – Individualized Education Program Meetings – Secondary**
3 **Transition Planning Materials**

4 FOR the purpose of requiring a local school system to provide information regarding certain
5 secondary transition services to the parents of a child with a disability at certain
6 individualized education program meetings; and generally relating to individualized
7 education programs for children with disabilities.

8 BY repealing and reenacting, without amendments,

9 Article – Education

10 Section 8–405(a)(1) and (4), (b)(1), and (j) and 21–305(a)(1), (3), and (4)

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Education

15 Section 8–405(b)(2) and (3)

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2024 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 8–405.

22 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) “Individualized education program” and “individualized family service
2 plan” have the same meaning as provided in the federal Individuals with Disabilities
3 Education Act.

4 (b) (1) When a team of qualified professionals and the parents meet for the
5 purpose of discussing the identification, evaluation, educational program, or the provision
6 of a free appropriate public education of a child with a disability:

7 (i) The parents of the child shall be afforded the opportunity to
8 participate and shall be provided reasonable notice in advance of the meeting; and

9 (ii) Reasonable notice shall be at least 10 calendar days in advance
10 of the meeting, unless an expedited meeting is being conducted to:

11 1. Address disciplinary issues;

12 2. Determine the placement of the child with a disability not
13 currently receiving educational services; or

14 3. Meet other urgent needs of a child with a disability to
15 ensure the provision of a free appropriate public education.

16 (2) (i) 1. At the initial evaluation meeting, the parents of the child
17 shall be provided:

18 A. In plain language, an oral and written explanation of the
19 parents’ rights and responsibilities in the individualized education program process and a
20 program procedural safeguards notice;

21 B. Written information that the parents may use to contact
22 early intervention and special education family support services staff members within the
23 local school system and a brief description of the services provided by the staff members;

24 C. Written information on the Special Education
25 Ombudsman and toll-free telephone number established under Title 6, Subtitle 5 of the
26 State Government Article;

27 D. Written information about the Access to Attorneys,
28 Advocates, and Consultants for Special Education Program established under § 8-413.1 of
29 this subtitle; [and]

30 E. Written informational materials regarding the Maryland
31 ABLE Program provided under § 18-19C-03(a)(2) of this article; AND

32 **F. WRITTEN INFORMATION ABOUT TRANSITION**
33 **SERVICES, AS DEFINED IN § 21-305 OF THIS ARTICLE, TO ASSIST IN SECONDARY**

1 **TRANSITION PLANNING FOR A CHILD WITH AN INDIVIDUALIZED EDUCATION**
2 **PROGRAM.**

3 2. At least one time each year [at]:

4 **A.** **AT** an individualized education program or individualized
5 family service plan team meeting, the parents of the child shall be provided with the written
6 informational materials described under subsubparagraph 1E of this subparagraph; **AND**

7 **B.** **BEGINNING THE YEAR THAT A CHILD WITH AN**
8 **INDIVIDUALIZED EDUCATION PROGRAM TURNS 14 YEARS OLD, THE PARENTS OF**
9 **THE CHILD SHALL BE PROVIDED WITH THE WRITTEN MATERIALS DESCRIBED UNDER**
10 **SUBSUBPARAGRAPH 1F OF THIS SUBPARAGRAPH AT A TEAM MEETING.**

11 3. If a parent's native language is not English, the
12 information in subsubparagraph 1B, C, D, [and] E, **AND F** of this subparagraph shall be
13 provided to the parent in the parent's native language.

14 (ii) The parents may request the information provided under
15 subparagraph (i) of this paragraph at any subsequent meeting.

16 (iii) If a child who has an individualized education program
17 developed in another school system moves into a different local school system, that local
18 school system shall provide the information required under subparagraph (i)1B, C, D, [and]
19 E, **AND F** of this paragraph at the time of the first written communication with the parents
20 regarding the child's individualized education program or special education services.

21 (iv) A local school system shall publish information that a parent
22 may use to contact early intervention and special education family support services staff
23 members within the local school system and a brief description of the services provided by
24 the staff members in a prominent place on the section of its website relating to special
25 education services.

26 (3) Failure to provide the information required under paragraph (2)(i)1B,
27 C, D, [and] E, **AND F** of this subsection does not constitute grounds for a due process
28 complaint under § 8-413 of this subtitle.

29 (j) The Department shall adopt:

30 (1) Regulations that define what information should be provided in the
31 verbal and written explanations of the parents' rights and responsibilities in the
32 individualized education program process; and

33 (2) Any other regulations necessary to carry out subsection (b)(2) and (4) of
34 this section.

1 21-305.

2 (a) (1) In this section the following words have the meanings indicated.

3 (3) "Transition services" means a coordinated set of activities for a student
4 with a disability who meets the definition of a transitioning student that promotes
5 movement from school to postschool activities, including postsecondary education,
6 vocational training, integrated employment, supported employment, adult services,
7 independent living, and community participation.

8 (4) "Transitioning student" means a student with a disability who is
9 between the ages of 14 and 21 years who meets the eligibility criteria of the federal
10 Individuals with Disabilities Education Act or § 7 of the federal Rehabilitation Act.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2025.