

February 19, 2021

Maryland Senate
11 Bladen St.
Annapolis, MD. 21401

In Support of SB 449 – Public Information Act – Revisions – Equitable Access to Records Act

Good day members of the Senate Education, Health and Environmental Affairs Committee.

I am the parent of a child with multiple challenges and disabilities. He has been bounced between 504 plans and IEP plans over the course of 8 years within the AACPS system. Parents like myself often find ourselves left asking for documentation from our local school systems and the state's department of education. We are just one subset of MD citizens requesting improved transparency from our state and county agencies.

Trying to keep up with changes to school system policies, I very often I have found myself having to request documentation from our local school system by way of the Public Information Act.

As if the special education process is not difficult enough for families and students, factors like a lack of a reliable and consistent data sets further complicates our ability to advocate for appropriate services and accommodations for our children during the school academic year, and between academic years.

Very often the information is closely guarded by school systems, crucial to helping track, and measure a student's progress toward their IEP goals. School system policies and local special education process guidelines often inhibit parents, and advocates, accessing student records in a timely manner. Thus, negatively impacting student's access to the programs, supports and accommodations needed by those students and accessing Free Appropriate Public Education or FAPE, guaranteed to them under federal education law.

But Maryland's current PIA process is very time consuming and frustrating in its current state. Delays, incomplete responses to requests, and lack of a robust appeal process along with stone walling tactics employed by some county agencies have made my job as a parent and advocate for children with disabilities harder, if not impossible to accomplish without evening the playing field. Agencies don't feel compelled to abide by response guidelines within the law, because the PIA process lacks much in the way of accountability.

The Ombudsman's office released a report released in December 2019 that outlined recommendations to improve the PIA process, to re-instate the appeal process and appoint an oversight board to help resolve disputes. Having been through the PIA process a number of times, I agree that these recommended changes are needed to improve the PIA process as a whole (Please See SB 590 / HB 502 - 2020 Session).

Please return a favorable report on SB 449 to help improve the transparency of county and state agencies, and to help bring more accountability and improvements to the PIA process within the state of Maryland. Thank you for your time and consideration of my testimony.

Mr. Richard Ceruolo,
Parent and Civil Rights and Special Education Reform Advocate | Parent Advocacy Consortium