



March 29, 2021

In Support of SB 371 / HB 716: Special Education – Individualized Education Plans – IEE Ed. Evaluations.

Good day members of the Maryland House of Delegates Ways and Means Committee.

As a parent and advocate for persons with disabilities, and our 1300 plus members fully support this bill. The special education civil rights provisions under Individuals with Disabilities Education Act (IDEA) have been under attack by local school systems since the law was first written. Extending timelines for a family that requests an Independent Educational Evaluation allowing for a student to be evaluated, will be helpful to many disabled children and their families. In fact, it can mean the difference between crucial help and services being made available to them, or not.

Independent Education Evaluation (IEE) is an option that is included within the IDEA law, and allows a parent to request an education evaluation of their child, by an impartial resource outside of the local school system's team. Many parents new to the special education process do not have the resources to fight for an IEE, or are taken to Due Process hearings by their local school system for merely requesting an IEE for their child. A daunting and extremely expensive process. Many families have faced less than ideal choices being taken to a due process hearing with little time to prepare and without much information about the process. It is an antiquated process that is unevenly weighted in favor of school systems and their legal teams of lawyers.

Independent Education Evaluation (IEE). Too often our children are denied the services & supports, and the quality education evaluations required to support the need for those SPED services and supports. Our children are seen as expensive burdens being thrust onto local school systems by their parents. They're our kids. Schools are tasked with the legal obligation to educate our children with disabilities by federal law, and provide FAPE. Too often school system personnel know the gray areas of education law, and routinely violate timelines, process and procedures in the name of winning at IEP and 504 plan meetings. Too often they deny a child that should qualify for Spec Ed services are denied. Obligations and protections afforded to families under IDEA laws, are circumvented or ignored due to the lacking system of accountability in Education. Legal obligations like **Child Find are ignored**, which is a school system's legal duty to identify and service all children with disabilities in their school district.



Often delay tactics and feigning ignorance of the federal IDEA laws is just couple of tactics, that school system personnel employ against a family to try and slow down the process of identifying and evaluating children with disabilities. Hoping that the family will get frustrated by the IEP meeting process and procedures, give up and simply go away. Saving the school district money on evaluations and services for the entirety of that child's education. Directly or indirect action to deny a child with disabilities the services guaranteed to them by federal anti-discrimination laws, is not legal, and certainly is NOT the way forward for the special education process as a whole. Giving time for a family to obtain an IEE is a more equitable way forward.

Please help to support our families so that they have the time to get their child evaluated by an impartial, outside resource. So that the students who need them and qualify for them, can gain access to the services and supports they need in order to reach their full potential.

Please support approaches like Senate Bill 371 / House Bill 716 in support of our children with disabilities, so that families have the time to obtain an evaluation, opening the door to the services & supports that students need to be successful today, tomorrow and into the future.

Thank you for your time and your consideration of our testimony today.

Mr. Richard Ceruolo
Parent Advocacy Consortium