

HOUSE BILL 596

F1

2lr1621

By: **Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly, Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker**

Introduced and read first time: February 6, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Child with a Disability – Individualized Education Program Meeting –**
3 **Document Access**

4 FOR the purpose of altering the period of time before a certain meeting that
5 appropriate school personnel must provide a copy of certain documents relating
6 to the development of an individualized education program for a child with a
7 disability to the parents of the child; and generally relating to a meeting of the
8 individualized education program team.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 8–405(c)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 8–405.

18 (c) (1) (i) Except as provided in paragraph (2) of this subsection, and
19 subject to subparagraph (ii) of this paragraph, at least 5 [business] CALENDAR days
20 before a scheduled meeting of the individualized education program team or other
21 multidisciplinary education team for any purpose for a child with a disability,
22 appropriate school personnel shall provide the parents of the child with an accessible
23 copy of each assessment, report, data chart, draft individualized education program, or
24 other document that either team plans to discuss at the meeting.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Subject to subparagraph (i) of this paragraph, an
2 assessment, report, data chart, or other document prepared by a school psychologist or
3 other medical professional that either team plans to discuss at the meeting may be
4 provided to the parents of the child orally and in writing prior to the meeting.

5 (2) (i) Subject to subparagraph (ii) of this paragraph, appropriate
6 school personnel are not required to comply with paragraph (1) of this subsection in
7 the event of an extenuating circumstance.

8 (ii) In the event of an extenuating circumstance, appropriate
9 school personnel who fail to comply with paragraph (1) of this subsection shall
10 document the extenuating circumstance and communicate that information to the
11 parents of the child.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2012.