

# HOUSE BILL 551

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By: **Delegates Kaiser, Brooks, Buckel, Carr, Chang, Ebersole, Frick, Frush, Haynes, Hettleman, Hixson, Jalisi, Jones, Kelly, Kramer, Krimm, Lafferty, Lam, Lierman, Luedtke, McComas, McMillan, Morales, Morhaim, O'Donnell, Pena-Melnyk, Pendergrass, Sample-Hughes, Sophocleus, Tarlau, Turner, Valderrama, Valentino-Smith, K. Young, P. Young, and Zucker**

Introduced and read first time: February 3, 2016

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Children With Disabilities – Individualized Education Program**  
3 **Mediation**

4 FOR the purpose of requiring certain individualized education program teams to provide  
5 certain parents of a child with a disability with a certain oral and written explanation  
6 of the parent's right to request mediation, certain contact information under certain  
7 circumstances, and certain information regarding certain pro bono representation;  
8 authorizing certain parents to request certain information at certain times; requiring  
9 the State Department of Education to make a certain staff member available to assist  
10 certain parents in understanding certain mediation processes; and generally relating  
11 to children with disabilities.

12 BY adding to  
13 Article – Education  
14 Section 8–405(b)(3) and 8–413(b)(7)  
15 Annotated Code of Maryland  
16 (2014 Replacement Volume and 2015 Supplement)

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

19 **Article – Education**

20 8–405.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (b)   **(3)   (I)**   **IF, DURING AN INDIVIDUALIZED EDUCATION PROGRAM**  
2 **TEAM MEETING, A PARENT DISAGREES WITH THE CHILD’S INDIVIDUALIZED**  
3 **EDUCATION PROGRAM OR THE SPECIAL EDUCATION SERVICES PROVIDED TO THE**  
4 **CHILD, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL PROVIDE THE**  
5 **PARENT WITH, IN PLAIN LANGUAGE:**

6                           1.   **AN ORAL AND A WRITTEN EXPLANATION OF THE**  
7 **PARENT’S RIGHT TO REQUEST MEDIATION IN ACCORDANCE WITH § 8-413 OF THIS**  
8 **SUBTITLE;**

9                           2.   **CONTACT INFORMATION, INCLUDING A TELEPHONE**  
10 **NUMBER THAT A PARENT MAY USE TO RECEIVE MORE INFORMATION ABOUT THE**  
11 **MEDIATION PROCESS; AND**

12                           3.   **INFORMATION       REGARDING       PRO       BONO**  
13 **REPRESENTATION.**

14                           **(II)   A PARENT MAY REQUEST THE INFORMATION PROVIDED**  
15 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AT ANY INDIVIDUALIZED**  
16 **EDUCATION PROGRAM TEAM MEETING.**

17 8-413.

18           (b)   **(7)   THE DEPARTMENT SHALL MAKE A STAFF MEMBER AVAILABLE TO**  
19 **ASSIST A PARENT IN UNDERSTANDING THE MEDIATION PROCESS.**

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2016.