

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1058
Ways and Means

(Delegate Platt, *et al.*)

Task Force to Review the Workload of Special Educators in the State

This bill establishes a Task Force to Review the Workload of Special Educators in the State. The Maryland State Department of Education (MSDE) must provide staff for the task force. By December 31, 2016, the task force must report its findings and recommendations to the Governor and the General Assembly.

The bill takes effect July 1, 2016, and terminates June 30, 2017.

Fiscal Summary

State Effect: None. MSDE can provide staff support for the task force using existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must:

- survey and assess the workloads of special educators from each local school system;
- review and assess the concerns of special educators regarding their workloads;
- research and analyze best practices from other jurisdictions regarding how to ensure that the workloads of special educators are manageable;

- develop a set of best practices to ensure that the workloads of special educators are manageable;
- research and develop a streamlined individualized education program process that does not run counter to the federal Individuals with Disabilities Education Act (IDEA); and
- make recommendations for State and local policy and legislative initiatives to address the workload concerns of special educators.

Current Law: The federal IDEA requires that a child with disabilities be provided a free appropriate public education in the least restrictive environment from birth through the end of the school year in which the student turns age 21. The State Board of Education must adopt standards for the identification, evaluation, educational placement, and provision of a free appropriate public education for children found to need special education and related services. Among other things, the standards must include guidelines for curricula; instructional materials; equipment; and the organization, administration, and supervision of the program.

The Code of Maryland Regulations requires local boards of education to develop a staffing plan consistent with the procedures provided by MSDE to ensure that personnel and other resources are available to provide a free appropriate public education to each student with a disability in the least restrictive environment as determined by an IEP team. The local board of education must approve the related staffing plan.

Chapter 671 of 2013 established a Commission on Special Education Access and Equity to study the extent to which parents and guardians of students with disabilities are made aware of their rights under IDEA and State law and regulations relating to children with disabilities and potential ways to improve the awareness of these rights. Among other matters, the commission was required to study concerns about equity between the parties in special education due process hearings and potential methods for improving the process, as well as the effects of workload, caseload, and paperwork requirements related to the special education process on the ability of educators to provide a free and appropriate education. The commission was required to report its findings and recommendations by June 30, 2014.

Background: One recommendation within the June 30, 2014 Commission on Special Education Access and Equity report is that statutory or regulatory caps be set on the workload and caseload of special educators and school psychologists.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2016
kb/rhh

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510