



The Arc Maryland  
8601 Robert Fulton Drive,  
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SB300- Special Education – Learning Continuity Plan – Requirement  
Education Health and Environmental Affairs Committee  
January 27, 2021

**Position: Support**

This bill is based would require that Individualized Education Programs and 504 Plans of students include a learning continuity component to be developed by the team, including the parents of the child as equal partners to the process. The component of the plan would be developed by the members of the child’s IEP or 504 plan team **at the time of the next scheduled plan review** and serve as a guide to ensure continuity of services and supports needed by the student to continue to receive a Free and Appropriate Public Education (FAPE) during emergency conditions – when the child is unable to access the school building for 10 days or more.

To clarify, this is an emergency plan that is not intended to take the place of the IEP. Nor is it intended to be perfect and accurately account for what the team will encounter in each and every emergency. However, it will be incredibly useful as a guide to teams for how services and supports may continue for children with special needs in order to ensure the student is receiving what they need to access their plan of education.

We have heard many stories from families about interruptions in educational services and denial of FAPE during this pandemic. While none of us expected we would be thrust into this situation, we also did not anticipate that almost a full year later, some schools are still behaving as if the event is temporary; programs of education and critical related services have been curtailed or eliminated and in many cases, parents were not involved in these decisions in any way.

One parent, who has a great working partnership with his son’s school pointed out that this has been such a unique occurrence. He said that although he does not believe his school could have handled the pivot to virtual supports much better, there is a recognition that many other students did not fare as well. Now, we are armed with the knowledge of the experience and if we know better about what works and what does not work for our students with disabilities, we need to do better to prepare for a more appropriate and timely response to the next emergency.

We support SB300 and request a favorable report from the Committee

Sincerely,  
Ande Kolp  
The Arc Maryland  
[akolp@thearcmd.org](mailto:akolp@thearcmd.org)

Encl. Letters of support from families Mark Spitale, and Denise Wolf

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**Position: Favorable**

Joseph is a 22 year old male diagnosed with Autism at 1.5 years old. He is nonverbal and uses a communication device provided by the school. (Ipad). He is for the most part very well behaved but does have a behavioral plan in place for when his behaviors are out of line.

In March, Joseph went from getting on the bus every day to being home based due to the pandemic. So much of what Joseph does to keep him grounded is his routine and that routine was severely thrown off when the schools closed. Keeping that routine became the most important aspect of Joe's daily life. Although the routine is different at home and school the need for structure at both places is vital. With the help of the additional waiver hours we were able to keep his day to day the same basic way during the week and even one day on the weekends. The other day we used respite (Saturday) to give him a break and let him have some preferred activity.

**Joseph's school was always a huge help with any changes to his IEP plan.** They put together virtual learning calls and kept in constant contact with us when the pandemic hit.

This was such a unique occurrence that I am not sure it could have been handled much better. **Planning that it could happen again should be totally based on what we have learned from this experience.** These special needs individuals have a tough time with the virtual learning concept. Is there a better way to keep them engaged and learning? Parents with special needs need to work and the nature of their care is that school hours are when most of us work. If possible, we need to increase hours of help even more then with this recent event. It would have been a big help to have hours available so parent with 9-5 jobs could tell their employers "I can continue to work my regular schedule

**The ability to have an emergency plan for Joseph would be key to making sure his care and development are not impacted.** Simply knowing that help would be available in a time of uncertainty with Joseph would be a comfort.

Thank you for considering this change to emergency planning with special needs. I hope you all consider the benefits and pass the bill. Parents of these kids are overwhelmed most days. Anything you can do to help ease their concerns about this important time in their lives would be the right thing to do. I welcome the chance to share more of Joseph's story and our experiences.

Sincerely,

Mark Spitale  
301-606-0733  
markspitale@gmail.com

Re: SB300 Learning Continuity Plan -Requirement

My name is Denise Wolf and my son, Connor, who is nonverbal and on the autism spectrum, attended Rock Creek School at the time of the pandemic and school closings. He has been on the Autism Waiver since age 15. Connor turned 21 in April 2020 and his services were scheduled to end June 30.

In mid-March, when school officially closed, he continued to receive services through the autism waiver, but many others who did not have this or another resource to help with their child, found it especially challenging to step into this drastic change so quickly. In my case, I was grateful to receive the news of the extension of the Autism Waiver. The amount of Intensive Instructional Support Services given were increased from 24-60 hours a week, and the allotted Respite hours were doubled, giving parents/caregivers help that was so critically needed, and allowing them to continue to work.

Each child handles change differently, so it is important that an individual plan be in place that would specifically address the needs of each child should something like this happen again. We need to know our children would not fall behind in their skills and learning. The option to have the opportunity as a parent to create this emergency planning component as part of the IEP or 504 plan would greatly benefit all students and their families. Preplanning would be quite an improvement over what we have had to do. It is vital that parents be involved because we are the main ones that know what will and will not work for our children.

After having experienced the recent unforeseen events and have heard how it has taken a toll on so many families these past few months, I respectfully ask that you support the passage of this bill to allow parents to be equal partners in preplanning for the future success of our children.

Thank you for your consideration.

Sincerely,

Denise A. Wolf

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