

Education Advocacy Coalition
for Students with Disabilities

HOUSE WAYS AND MEANS COMMITTEE

**HOUSE BILL 903 – EDUCATION – ACCESS TO ATTORNEYS, ADVOCATES, AND CONSULTANTS
FOR SPECIAL EDUCATION PROGRAM AND FUND - ESTABLISHED**

DATE: FEBRUARY 21, 2024

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 40 organizations and individuals concerned with education policy for students with disabilities in Maryland, provides this testimony in support of House Bill 903. House Bill 903 will establish the Access to Attorneys, Advocates, and Consultants for Special Education Program and Fund.

The EAC supports increasing access to attorneys, advocates, and consultants during the special education process. EAC members represent or guide parents through the special education process to help parents understand the process and their rights and to ensure that students receive appropriate supplementary aids, services, educational programming, and placement. Currently, many Maryland families struggle to navigate the special education process and seek out expert, legal, or advocacy support. Support is particularly needed when disagreements arise regarding life-changing decisions for children (e.g., more or less restrictive placements, reduction in instructional/related services, participation in the alternate assessment); significant challenges (e.g., repeated use of restraint/seclusion and/or exclusionary discipline), the parent's native language is not English; or the school has requested a due process hearing. Unfortunately, such support is financially out of reach for many families, and free or low-cost legal and advocacy assistance is difficult to secure because of high demand and long waiting lists. Low- and moderately low-income families will benefit from this Program and Fund which will create additional access to these much-needed resources.

The special education process involves the development and implementation of Individualized Education Programs (IEPs) for students with disabilities. IEPs are developed by a multidisciplinary team of educators and related service providers as well as parents and the student. Despite parents being full members of the IEP team, there are significant power imbalances between schools/districts and families. In the experience of our EAC members, having a third-party expert—a lawyer, advocate or educational consultant—at the IEP table can help resolve issues more effectively, often before they escalate to more serious legal disputes including due process hearings. If issues cannot be resolved and they do escalate, otherwise unrepresented families can secure necessary legal assistance.

In addition to expanding access to legal, advocacy, and consultant services, which will help support more families and lead to better outcomes for students with disabilities, this bill will collect additional data on special education disputes so that policymakers and state and local education leaders will better understand the persistent challenges faced by families. Such

information could lead to policy proposals and/or guidance and technical assistance that will prevent disputes in the future.

For these reasons, the EAC supports House Bill 903.

For more information, please contact Leslie Seid Margolis, Co-Chairperson, at 443-692-2505 or at lesliem@disabilityrightsmd.org.

Respectfully submitted,

Selene Almazan, Selene Almazan Law, LLC

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Education Consultant

Elizabeth Benevides, Autism Society of Maryland, Co-Chairperson

Ellen A. Callegary, J.D.

Melanie Carlos, xMinds (Partnership for Extraordinary Minds)

Ariannwyn Carver, Mallory Legg, Maureen van Stone, Tyler Cochran, Project HEAL at Kennedy
Krieger Institute

Rich Ceruolo, Parent

Michelle Davis, M.Ed., ABCs for Life Success

Jennifer Engel Fisher, Weinfeld Education Group

Lisa Frank, Andrea Bennett, Jen Ritchotte and Amy Tonti, Special Kids Company

Kimberly Glassman and Brian Gruber, Law Office of Brian K. Gruber

Riya Gupta, Strong Schools Maryland

Beth Ann Hancock, Charting the Course, LLC

Kalman Hettleman, Independent Advocate

Nicole Joseph and Kate Raab, Law Offices of Nicole Joseph

Ande Kolp, The Arc Maryland

Rachel London, Maryland Developmental Disabilities Council

Leslie Seid Margolis, Disability Rights Maryland, Co-chairperson

Mark B. Martin, Law Offices of Mark B. Martin, P.A.

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland/Maryland Organization of Parents
of Blind Children

Maria Ott, Attorney

Rebecca Rienzi, Pathfinders for Autism

Jaime E. Seaton, BGS Law

Kelly Spanoghe, Education Consultant

Ronnetta Stanley, M.Ed., Loud Voices Together

Wayne Steedman, Steedman Law Group

Liz Zogby, Maryland Down Syndrome Advocacy Coalition