

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 107
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 5, strike “[or],” and substitute “or”; in the same line, strike “, OR A FOSTER PARENT”; in line 6, strike the second “or”; after line 6, insert:

“5. A FOSTER PARENT WITH WHOM A CHILD LIVES IF THE FOSTER PARENT HAS BEEN GRANTED LIMITED GUARDIANSHIP FOR EDUCATIONAL DECISION-MAKING PURPOSES BY THE COURT THAT HAS PLACED THE CHILD IN FOSTER CARE; OR”;

and in line 7, strike “5.” and substitute “6.”.

On page 7, in line 25, strike the first “PARENTS,” and substitute “OR”; in line 26, after “GUARDIAN,” insert “OR”; in the same line, strike the third comma and substitute “OR”; in line 27, strike “, OR A FOSTER PARENT”; after line 27, insert:

“(II) A FOSTER PARENT WITH WHOM A CHILD LIVES IF THE FOSTER PARENT HAS BEEN GRANTED LIMITED GUARDIANSHIP FOR EDUCATIONAL DECISION-MAKING PURPOSES BY THE COURT THAT PLACED THE CHILD IN FOSTER CARE;”;

and in lines 28 and 30, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively.

AMENDMENT NO. 2

On page 8, in line 22, after “BEFORE” insert “CONDUCTING”; in the same line, strike “AS DESCRIBED”; and in the same line, after “IN” insert “ACCORDANCE WITH”.

(Over)

On page 9, strike beginning with “UNLESS” in line 1 down through “LAW” in line 2 and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION”; after line 5, insert:

“(4) THE STATUTE OF LIMITATIONS DESCRIBED UNDER PARAGRAPH (3) OF THIS SUBSECTION DOES NOT APPLY TO A PARENT WHO IS PREVENTED FROM REQUESTING A DUE PROCESS HEARING DUE TO:

(I) SPECIFIC MISREPRESENTATIONS MADE BY THE PUBLIC AGENCY THAT IT HAD RESOLVED THE PROBLEM THAT FORMED THE BASIS OF THE DUE PROCESS COMPLAINT; OR

(II) THE PUBLIC AGENCY’S WITHHOLDING OF INFORMATION THAT THE PUBLIC AGENCY WAS REQUIRED TO PROVIDE TO THE PARENT.”;

and in lines 6, 19, and 22, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively.

On page 10, strike beginning with “MEET” in line 29 down through “LAW” in line 30 and substitute “:

(I) IMPEDED THE CHILD’S RIGHT TO A FREE APPROPRIATE PUBLIC EDUCATION;

(II) SIGNIFICANTLY IMPEDED THE PARENTS’ OPPORTUNITY TO PARTICIPATE IN THE EDUCATIONAL DECISION-MAKING PROCESS REGARDING THE PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION TO THE PARENTS’ CHILD;
OR

(III) CAUSED A DEPRIVATION OF EDUCATIONAL BENEFITS”.

AMENDMENT NO. 3

On page 11, strike in their entirety lines 10 through 14, inclusive; and after line 14, insert:

“[(h)] (J) Within 180 calendar days of the issuance of the hearing decision, any party to

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the hearing may file an appeal from a final [review] decision of the Office of Administrative Hearings to the federal District Court for Maryland or to the circuit court for the county in which the [student] CHILD resides.”.