

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 596
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “appropriate” in line 5 and substitute “authorizing”; in line 5, strike “must” and substitute “to”; in line 7, after “child” insert “in a certain manner; defining certain terms”; and in line 11, strike “8-405(c)” and substitute “8-405”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“(a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ACCESSIBLE COPY” MEANS A COPY OF A DOCUMENT PROVIDED TO AN INDIVIDUAL IN A FORMAT, INCLUDING A SPECIALIZED FORMAT AS DEFINED IN § 8-408 OF THIS SUBTITLE, NECESSARY FOR THE UNDERSTANDING OF THE DOCUMENT BY THE INDIVIDUAL ACCEPTING THE DOCUMENT.

(3) “EXTENUATING CIRCUMSTANCE” MEANS:

(i) A DEATH IN THE FAMILY;

(ii) A PERSONAL EMERGENCY;

(iii) A NATURAL DISASTER; OR

(Over)

(IV) ANY OTHER SIMILAR SITUATION DEFINED BY THE DEPARTMENT.

(B) When a team of qualified professionals and the parents meet for the purpose of discussing the identification, evaluation, educational program, or the provision of a free appropriate public education of a child with a disability:

(1) The parents of the child shall be afforded the opportunity to participate and shall be provided reasonable notice in advance of the meeting; and

(2) Reasonable notice shall be at least 10 calendar days in advance of the meeting, unless an expedited meeting is being conducted to:

(i) Address disciplinary issues;

(ii) Determine the placement of the child with a disability not currently receiving educational services; or

(iii) Meet other urgent needs of a child with a disability to ensure the provision of a free appropriate public education.

[(b)] (C) The individualized education program team shall determine, on at least an annual basis, whether the child requires extended year services in order to ensure that the child is not deprived of a free appropriate public education by virtue of the normal break in the regular school year.”;

in line 18, strike “(c)” and substitute “**(D)**”; in line 19, strike the brackets; and in the same line, strike “CALENDAR”.

AMENDMENT NO. 3

On page 2, after line 11, insert:

“(d) (E) (1) Not later than 5 business days after a scheduled meeting of the individualized education program team or other multidisciplinary team for a child with a disability, appropriate school personnel shall provide the parents of the child with a copy of the completed individualized education program.

(2) If the individualized education program has not been completed by the 5th business day after the meeting, the parents shall be provided with the draft copy of the individualized education program.

(3) The completed or draft individualized education program shall be provided to the parents in an accessible format.

(F) SCHOOL PERSONNEL MAY PROVIDE THE DOCUMENTS REQUIRED UNDER THIS SUBSECTION THROUGH ANY REASONABLE AND LEGAL METHOD OF DELIVERY TO FULFILL THE PURPOSES OF THIS SECTION.

[(e) (G) Failure to comply with this section does not constitute a substantive violation of the requirement to provide a student with a free appropriate public education.”