

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 596  
Ways and Means

(Delegate Kaiser, *et al.*)

Education, Health, and Environmental Affairs

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Child with a Disability - Individualized Education Program Meeting - Document  
Access

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This bill authorizes school personnel who must provide the parents of a child with a disability with a copy of a completed or draft individualized education program (IEP) following an IEP meeting to do so through electronic delivery, home delivery with the student, or any other reasonable and legal method of delivery. The parents of a child with a disability may notify appropriate school personnel that they do not want to receive documents related to a scheduled meeting of the IEP team or other multidisciplinary team. The bill also defines certain terms related to provision of specified information before and after an IEP meeting.

The bill takes effect July 1, 2012.

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Fiscal Summary

**State Effect:** The Maryland State Department of Education can define situations that constitute “extenuating circumstances” with existing resources. Revenues are not affected.

**Local Effect:** Local school system finances are not materially affected.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** “Accessible copy” includes a copy of a document provided to an individual in a specialized format for those who are blind or visually impaired.

“Extenuating circumstance” means a death in the family, a personal emergency, a natural disaster, or any other similar situation defined by MSDE.

**Current Law:** The federal Individuals with Disabilities Education Act (IDEA) requires that a student with disabilities be provided a free appropriate public education in the least restrictive environment, in accordance with an IEP specific to the individual needs of the student.

Chapters 664 and 665 of 2010 required that appropriate school personnel provide the parents of a child with a disability with accessible copies of all documents relating to the development of an IEP at least five business days before a scheduled meeting. However, documents prepared by a school psychologist or other medical professional that are to be discussed at the meeting may be provided to the parents orally and in writing prior to the meeting. Also, in the event of an extenuating circumstance, appropriate school personnel who fail to provide parents with required information prior to the meeting must document the extenuating circumstance and communicate the information to the parents.

Not later than five business days after a scheduled meeting, appropriate school personnel must provide the parents of the child with a copy of the completed IEP or, if it has not been completed, a draft copy of the IEP. The completed or draft IEP must be provided to the parents in an accessible format.

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### **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 5, 2012  
mlm/mwc Revised - House Third Reader - March 28, 2012  
Revised - Enrolled Bill - May 15, 2012

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