

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 342 (Delegate Luedtke)
Ways and Means

Special Education - Related Services Providers - Consortium

This bill requires the Maryland State Department of Education (MSDE) to establish a consortium of qualified substitute related services providers who may assist in delivering the services required by a child's individualized education program (IEP) in the absence of the regular related services provider.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: State finances are not substantially affected.

Local Effect: Local school system revenues and expenditures are not affected.

Small Business Effect: None.

Analysis

Current Law:

Individualized Education Program

The federal Individuals with Disabilities Education Act (IDEA) requires that a child with disabilities be provided a free appropriate public education in the least restrictive environment from birth through the end of the school year in which the student turns 21 years old, in accordance with an IEP specific to the individual needs of the student. An IEP is a written statement for each child with a disability that, among other things, must

indicate the present levels of academic achievement and functional performance of a child, measurable academic and functional goals for the child, how the child's progress toward meeting these goals will be measured, and the special education and related services that are to be provided for the child. The parent of a child with a disability is a member of the IEP team that is responsible for developing and reviewing a child's IEP and for revisions to the IEP.

IDEA requires the State education agency (MSDE) to provide supervisory oversight of local school systems to ensure the provision of related services outlined in each student's IEP. In turn, local school systems, as indicated in Maryland regulations must have policies and procedures in place to ensure the provision of related services as individually determined by a student's IEP team.

Related Services Providers

IDEA specifies that related services means transportation and developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. This includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.

Background: MSDE advises that it provides information to local school systems on where they may contract for services of qualified personnel and that MSDE is in routine contact with school system personnel who are responsible for assuring that related services needs are being met, thus affording a local school system the opportunity to inform MSDE when it requires assistance in attaining related services providers.

State Fiscal Effect: The bill does not substantially alter MSDE's current practice of sharing information with local school systems regarding alternative service providers that are available in the State.

Local Fiscal Effect: The bill does not alter the number of qualified alternative services available to local school systems and does not substantially alter local school systems' access to MSDE information about alternative service providers. Thus, local school system expenditures on alternative services are not substantially affected.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles and Prince George's counties; Maryland Association of Boards of Education; Maryland State Department of Education; Department of Legislative Services

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md/rhh

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