

HOUSE BILL 551

F1

6lr1075

By: **Delegates Kaiser, Brooks, Buckel, Carr, Chang, Ebersole, Frick, Frush, Haynes, Hettleman, Hixson, Jalisi, Jones, Kelly, Kramer, Krimm, Lafferty, Lam, Lierman, Luedtke, McComas, McMillan, Morales, Morhaim, O'Donnell, Pena-Melnyk, Pendergrass, Sample-Hughes, Sophocleus, Tarlau, Turner, Valderrama, Valentino-Smith, K. Young, P. Young, and Zucker**

Introduced and read first time: February 3, 2016

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **Education – Children With Disabilities – Individualized Education Program**
3 **Mediation**

4 FOR the purpose of requiring certain individualized education program teams to provide
5 certain parents of a child with a disability with a certain oral and written explanation
6 of the parent's right to request mediation, certain contact information under certain
7 circumstances, and certain information regarding certain pro bono representation;
8 authorizing certain parents to request certain information at certain times; requiring
9 the State Department of Education to make a certain staff member available to assist
10 certain parents in understanding certain mediation processes; and generally relating
11 to children with disabilities.

12 BY adding to
13 Article – Education
14 Section 8–405(b)(3) and 8–413(b)(7)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2015 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Education

8–405.

(b) (3) (I) IF, DURING AN INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETING, A PARENT DISAGREES WITH THE CHILD’S INDIVIDUALIZED EDUCATION PROGRAM OR THE SPECIAL EDUCATION SERVICES PROVIDED TO THE CHILD, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL PROVIDE THE PARENT WITH, IN PLAIN LANGUAGE:

1. AN ORAL AND A WRITTEN EXPLANATION OF THE PARENT’S RIGHT TO REQUEST MEDIATION IN ACCORDANCE WITH § 8–413 OF THIS SUBTITLE;

2. CONTACT INFORMATION, INCLUDING A TELEPHONE NUMBER THAT A PARENT MAY USE TO RECEIVE MORE INFORMATION ABOUT THE MEDIATION PROCESS; AND

3. INFORMATION REGARDING PRO BONO REPRESENTATION.

(II) A PARENT MAY REQUEST THE INFORMATION PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AT ANY INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETING.

8–413.

(b) (7) THE DEPARTMENT SHALL MAKE A STAFF MEMBER AVAILABLE TO ASSIST A PARENT IN UNDERSTANDING THE MEDIATION PROCESS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.