P4, F1, P1 9lr2464

By: Delegates Smith, Acevero, Bridges, Glenn, Guyton, Healey, Hettleman, Ivey, Lehman, J. Lewis, Luedtke, Moon, Terrasa, Turner, Wells, and P. Young Introduced and read first time: February 8, 2019
Assigned to: Judiciary

## A BILL ENTITLED

2	Office of Administrative Hearings - Administrative Law Judges - Special
3	Education Law Training

4 FOR the purpose of requiring an administrative law judge to complete a training course on 5 special education law before conducting a mediation session or due process hearing 6 related to special education on or after a certain date; establishing certain criteria 7 for a certain training course; prohibiting an administrative law judge from 8 conducting a certain mediation session or due process hearing under certain 9 circumstances; requiring the Office of Administrative Hearings to convene a certain 10 committee for a certain purpose; providing for the composition of the committee; 11 requiring the committee to submit a certain curriculum to the Office on or before a 12 certain date; requiring the Office to use a certain curriculum to establish a certain training course; and generally relating to special education law training for 13 administrative law judges. 14

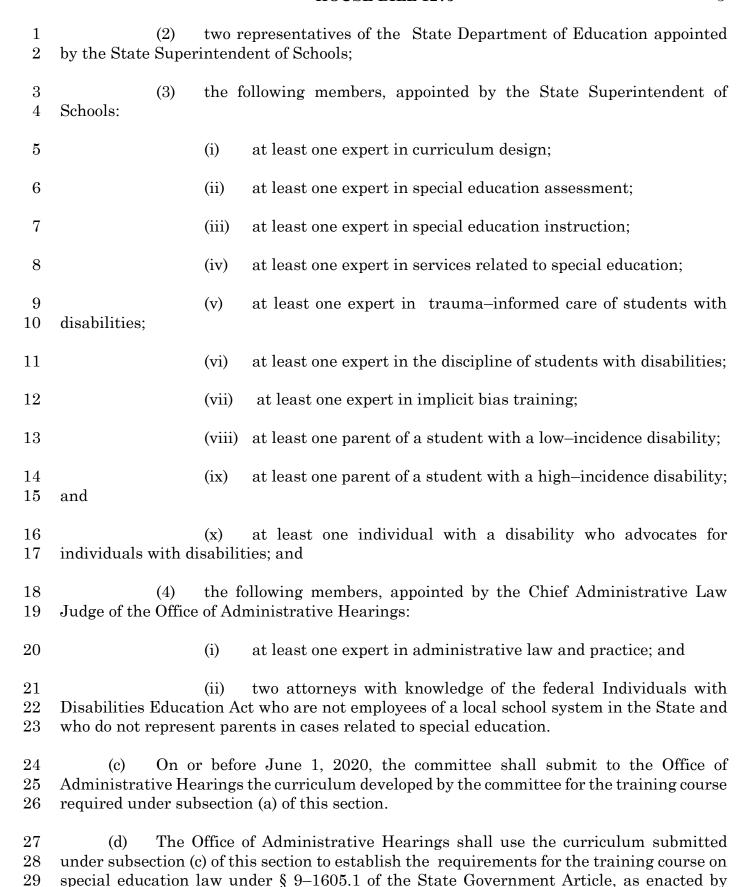
- 15 BY adding to
- 16 Article State Government
- 17 Section 9–1605.1

AN ACT concerning

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- 18 Annotated Code of Maryland
- 19 (2014 Replacement Volume and 2018 Supplement)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 21 That the Laws of Maryland read as follows:
- 22 Article State Government
- 23 **9–1605.1.**
- 24 (A) ON OR AFTER AUGUST 1, 2020, AN ADMINISTRATIVE LAW JUDGE SHALL

- 1 COMPLETE A TRAINING COURSE ON SPECIAL EDUCATION LAW BEFORE CONDUCTING
- 2 A MEDIATION SESSION OR DUE PROCESS HEARING RELATED TO SPECIAL
- 3 EDUCATION, AS DEFINED IN § 8-401 OF THE EDUCATION ARTICLE.
- 4 (B) THE TRAINING COURSE ON SPECIAL EDUCATION LAW SHALL:
- 5 (1) BE DEVELOPED AND PROVIDED BY THE OFFICE OF 6 ADMINISTRATIVE HEARINGS;
- 7 (2) BE AT LEAST 12 HOURS; AND
- 8 (3) INCLUDE COURSES ON THE FOLLOWING TOPICS:
- 9 (I) AN OVERVIEW OF THE FEDERAL INDIVIDUALS WITH 10 DISABILITIES EDUCATION ACT AND RELEVANT STATE LAW;
- 11 (II) BEST PRACTICES IN SPECIAL EDUCATION ASSESSMENT,
- 12 INSTRUCTION, SERVICES, TRAUMA-INFORMED CARE, AND DISCIPLINE;
- 13 (III) RECOGNIZING AND AVOIDING IMPLICIT BIAS;
- 14 (IV) PERSPECTIVES OF A PARENT OF A CHILD WITH A DISABILITY
- 15 NAVIGATING THE SPECIAL EDUCATION PROCESS; AND
- 16 (V) CONDUCTING A HEARING WITH PRO SE PARENTS.
- 17 (C) AN ADMINISTRATIVE LAW JUDGE MAY NOT CONDUCT A MEDIATION
- 18 SESSION OR DUE PROCESS HEARING RELATED TO SPECIAL EDUCATION IF THE
- 19 ADMINISTRATIVE LAW JUDGE FAILS TO COMPLETE THE TRAINING COURSE ON
- 20 SPECIAL EDUCATION LAW REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.
- 21 SECTION 2. AND BE IT FURTHER ENACTED, That:
- 22 (a) The Office of Administrative Hearings shall convene a committee to develop
- 23 the curriculum for a training course on special education law for administrative law judges
- 24 as required under § 9–1605.1 of the State Government Article, as enacted by Section 1 of
- 25 this Act.
- 26 (b) The committee shall consist of the following individuals who may not appear
- 27 before the Office of Administrative Hearings as counsel, a witness, or an expert:
- 28 (1) two representatives of the Office of Administrative Hearings, appointed
- 29 by the Chief Administrative Law Judge of the Office of Administrative Hearings;



Section 1 of this Act.

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SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 2  $\,$  1, 2019.