



The Arc Maryland  
8601 Robert Fulton Drive,  
Suite 140  
Columbia, MD 21046

HB/14- Special Education - Learning Continuity Plan - Requirement  
Ways and Means Committee, February 10, 2021

**Position: Support**

This bill would require that the Individualized Education Programs and 504 Plans of students include a learning continuity portion to be developed by the team, including the parents of the child as equal partners to the process. The component of the plan would be developed by the members of the child's IEP or 504 plan team at the time of the plan review and serve as a guide to ensure continuity of services and supports needed by the student to continue to receive a Free and Appropriate Public Education (FAPE) during emergency conditions - when the child is unable to access the school building for 10 days or more.

To clarify, this is an emergency COMPONENT of the IEP, and is not intended to supplant the student's official IEP but rather create a space for teachers, students and parents to identify what is needed by the student in an emergency where the student is unable to access the building for an extended period of time.

The emergency planning component is also not expected to be perfect nor 100% able to account for what the team will experience in each and every emergency, but it is intended to create an opportunity for reasonable best effort and thought to be put into determining what might be needed to ensure FAPE for the student.

We have heard many stories from families about interruptions in educational services and denial of FAPE during the Pandemic. While none of us expected we would be thrust into this situation, we also did not anticipate that close to 1 year later, we would still see situations where students cannot access their programs of education. There are cases of related services being curtailed or eliminated and in many of these cases, parents were not involved in these decisions. We hope to restore the partnership that we rely on for our kids so that we may all be a part of the solution to their education needs.

The opposition has stated that the additional process will require significantly more time for the IEP development. We would respond that the activity would likely require a little more time, but some of the information needed for the emergency planning part of the IEP may be provided via questionnaires completed by the family and teachers ahead of the meeting. These questionnaires, combined with almost a full year of "lessons learned" should help keep the time needed, for this addition to the plan, at a minimum.

In conclusion, The Arc Maryland and our members support HB714, and we urge the committee's favorable report.

Sincerely, Ande Kolp  
Executive Director, [akolp@thearcmd.org](mailto:akolp@thearcmd.org)  
410-571-9320

**HB714- Special Education – Learning Continuity Plan – Requirement**

House Ways and Means Committee

February 10, 2021

**Position: Favorable**

Joseph is a 22 year old male diagnosed with Autism at 1.5 years old. He is nonverbal and uses a communication device provided by the school. (Ipad). He is for the most part very well behaved but does have a behavioral plan in place for when his behaviors are out of line.

In March, Joseph went from getting on the bus every day to being home based due to the pandemic. So much of what Joseph does to keep him grounded is his routine and that routine was severely thrown off when the schools closed. Keeping that routine became the most important aspect of Joe's daily life. Although the routine is different at home and school the need for structure at both places is vital. With the help of the additional waiver hours we were able to keep his day to day the same basic way during the week and even one day on the weekends. The other day we used respite (Saturday) to give him a break and let him have some preferred activity.

**Joseph's school was always a huge help with any changes to his IEP plan.** They put together virtual learning calls and kept in constant contact with us when the pandemic hit.

This was such a unique occurrence that I am not sure it could have been handled much better. **Planning that it could happen again should be totally based on what we have learned from this experience.** These special needs individuals have a tough time with the virtual learning concept. Is there a better way to keep them engaged and learning? Parents with special needs need to work and the nature of their care is that school hours are when most of us work. If possible, we need to increase hours of help even more than with this recent event. It would have been a big help to have hours available so parent with 9-5 jobs could tell their employers "I can continue to work my regular schedule

**The ability to have an emergency plan for Joseph would be key to making sure his care and development are not impacted.** Simply knowing that help would be available in a time of uncertainty with Joseph would be a comfort.

Thank you for considering this change to emergency planning with special needs. I hope you all consider the benefits and pass the bill. Parents of these kids are overwhelmed most days. Anything you can do to help ease their concerns about this important time in their lives would be the right thing to do. I welcome the chance to share more of Joseph's story and our experiences.

Sincerely,

Mark Spitale  
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markspitale@gmail.com

HB714- Special Education - Learning Continuity Plan - Requirement  
Assigned to: Ways and Means Committee  
February 10, 2021

My Story: I am an advocate for people with disabilities. I happen to have a diagnosis of autism which I think really provides me with a unique perspective on what has happened during the pandemic and how I might have been impacted if I had still been in school.

Students with disabilities and their families need to be at the table when individualized education programs (IEPs) and related services are determined. When the pandemic happened, parents were not a part of the changes that were made to IEPs. In an inconsistent manner throughout the state, they may or may not have been consulted about what support they needed as they were put in the role of needing to provide educational support to their child/student.

HB714 would require that schools and IEP teams learn from the past, and document those lessons learned as they plan for future emergencies. At the time of the student's next IEP, those plans would be discussed and documented as part of the IEP.

I don't see how a bill like this would be anything but good for students with disabilities, their teaching staff, and their families.

In conclusion, I hope you will vote favorably on this bill.

Sincerely,

Alex Barnes

jeopardyal@aol.com

Columbia, MD

Re: HB714- Learning Continuity Plan -Requirement

My name is Denise Wolf and my son, Connor, who is nonverbal and on the autism spectrum, attended Rock Creek School at the time of the pandemic and school closings. He has been on the Autism Waiver since age 15. Connor turned 21 in April 2020 and his services were scheduled to end June 30.

In mid-March, when school officially closed, he continued to receive services through the autism waiver, but many others who did not have this or another resource to help with their child, found it especially challenging to step into this drastic change so quickly. In my case, I was grateful to receive the news of the extension of the Autism Waiver. The amount of Intensive Instructional Support Services given were increased from 24-60 hours a week, and the allotted Respite hours were doubled, giving parents/caregivers help that was so critically needed, and allowing them to continue to work.

Each child handles change differently, so it is important that an individual plan be in place that would specifically address the needs of each child should something like this happen again. We need to know our children would not fall behind in their skills and learning. The option to have the opportunity as a parent to create this emergency planning component as part of the IEP or 504 plan would greatly benefit all students and their families. Preplanning would be quite an improvement over what we have had to do. It is vital that parents be involved because we are the main ones that know what will and will not work for our children.

After having experienced the recent unforeseen events and have heard how it has taken a toll on so many families these past few months, I respectfully ask that you support the passage of this bill to allow parents to be equal partners in preplanning for the future success of our children.

Thank you for your consideration.

Sincerely,

Denise A. Wolf

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