



## HB724 SPECIAL EDUCATION - EDUCATION AND VOCATIONAL SERVICES - PROLONGED SCHOOL CLOSURE

February 12, 2021  
WAYS AND COMMITTEE

### OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB724 Special Education - Education and Vocational Services - Prolonged School Closure**. This emergency bill requires a local board of education to offer and provide a specified special education student whose school is subject to a prolonged school closure the option to continue attending school or receiving education services after the student's anticipated graduation date, regardless of whether the student has completed all high school graduation requirements. The local board must notify the parent/guardian of the student of this option. The Division of Rehabilitation Services in the Maryland State Department of Education (MSDE) must ensure that a transitioning student whose school is subject to a prolonged school closure and is receiving extended learning under the bill has access to the services for 1 year from the end of the prolonged closure.

AACPS places a very high priority on ensuring that students receive high quality special education programs and instruction to meet the unique needs of every disabled student. AACPS strongly opposes this legislation in favor of continuing to allow local school systems to serve students eligible to receive special education services in accordance with their Individualized Education Program (IEP) and the full array of existing State and federal requirements.

AACPS recognizes that the COVID-19 pandemic and resulting school closures have presented enormous challenges for all students, families, and educators. Through our education recovery and reopening plan and in accordance with State and federal laws and regulations, we continue to work to provide all students who are eligible for special education services with access to continuity of learning through distance and in-person instruction and the delivery of other services.

It is unreasonable to mandate that local school systems be uniformly required to provide an entire extra year of instruction to students, including students receiving special education services, who would otherwise graduate. More specifically, this bill defines the students eligible for this extension as all students who have a disability and receive special education services. This is far too broad a category of students to warrant the mandate that each of these students should have the option to attend school for another full year based on any continuous school closure of 10 days or more.

Further, MSDE has already addressed this issue by providing guidance to school systems that graduation will not preclude eligible students from receiving recovery services through the IEP process. The decision as to whether a student is even eligible for recovery or compensatory services is a multi-faceted one; based on performance and other data maintained by the school system. Based on the relevant data and information, the IEP team, of which the parent/guardian is a member, determines whether the student is eligible for recovery or compensatory services. If it is determined that the student is eligible for these services, the IEP team will identify what the services will be based on complex data analysis. Such decisions are made in accordance with State and federal guidance.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB724.