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HOUSE WAYS AND MEANS COMMITTEE

HOUSE BILL 469: CHILDREN WITH DISABILITIES—SPECIAL EDUCATION SERVICES--ELIGIBILITY

DATE: FEBRUARY 15, 2023

POSITION: SUPPORT

The Arc Maryland is the largest statewide advocacy organization dedicated to the rights and quality of life of people with intellectual and developmental disabilities. We support HB 469, as it would ensure that all students with disabilities would have access to 16 years of Special Education and related services, restoring equity and access to students in certain counties, and bridging a gap created through school start rules and start date changes over time.

Currently, Section 8-403 of the Maryland Education Article guarantees a free appropriate public education available to each student with a disability through the school year in which the student turns 21 years old. This is in alignment with the federal Individuals with Disabilities Education Act. However, because local school systems set their own school calendars and may have different school year start and end dates, **some students have access to only 15 years of special education and related services, and others are able to access up to 16 years of services.**

This inequity was created when schools were given flexibility for school start and end dates and particularly impacts students from **Harford, Cecil, Worcester, and Wicomico schools**, depending on their birthdate and the local school system calendar. House Bill 469 will require that special education and related services be available to students with disabilities from birth through the end of the school year in which the student turns 21 **or the end of the student's 16th year of school, whichever occurs later.**

The pandemic was already very hard on students with IEPs and coupled with this unintended loss of a special education year seems unfair. House Bill 469 would ensure that students with disabilities do not get robbed of the critical time they need to plan their transition out of the school system and on to independent employment, higher education, or other services in the community.

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