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Ways and Means Committee

Early Childhood Subcommittee

Education Subcommittee



The Maryland House of Delegates  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

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**HB469 Children with Disabilities- Special Education Services – Eligibility**

**SUPPORT**

Dear Madame Chair and Members of the Ways and Means Committee,

Thank you for your consideration of HB469. This bill fixes a loophole in our Special Education Eligibility laws that affects a small number of students and denies them equal access to important services compared to their same-aged peers. Students with significant disabilities are allowed to continue attending school and receiving support until the school year in which they turn 21. If the student has a birthday that allowed them to start school at 5 but falls in between that eligibility date and the first day of school, this small subset actually receives 15 years, rather than 16 years of school.

The General Assembly attempted to remedy this issue, among others, by mandating that the date of eligibility for students to start school be standardized as September 1 in 2008. There are several groups of students who were not captured in this “fix”, however. A limited number of students who are now in their 19 or 20<sup>th</sup> year will still lose a year of IEP services because they entered school before the standardized date became effective in 2008. Specialized 11-month schools with their, own eligibility dates tend to have greater numbers of affected students. Finally, students who are and will be enrolled in the few school systems that still start school after Sept 1 (the eligibility cut-off) will continued to have unfair and arbitrary cessation of services.

This bill HB469 simply says that all students with significant disabilities are entitled to equal years of school. They all can attend for 16 years, even if their birthdays fall in the week before school starts. This is particularly important now, because of the skills that have been missed due to COVID. The bill is filed as an emergency bill so that these students do not lose another year of school because we did not act with the appropriate urgency to intervene.

Thank you for your favorable report on HB469.

A handwritten signature in cursive script that reads "Delegate Michele Guyton".

Delegate Michele Guyton 42B