

BILL: House Bill 1237
TITLE: State Department of Education - Task Force to Study the Maryland Online Special Education System
DATE: March 27, 2024
POSITION: SUPPORT
COMMITTEE: Education, Energy, and the Environment
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The Maryland Association of Boards of Education (MABE) supports House Bill 1237 in order to form a task force to study the Maryland special education system, focusing on the online system for individualized educational programs (IEPs) and other special education related plans. MABE is well-aware of significant shortcomings with the current online IEP system, and agrees that a task force should be convened to study and recommend improvements to this critically important tool. The task force established by this bill will advance much needed improvements in efficiency and accuracy, and therefore usefulness, of the educational plans that educators, parents, and ultimately students rely on for special education services in accordance with these plans.

MABE, on behalf of all local boards of education, assures the General Assembly that Maryland's professional educators and school administrators are working within a very comprehensive federal and state legal and educational framework to provide students with special education services and accommodations. Local boards of education place 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. Maryland's school systems are mandated to provide a wide array of special education services in accordance and compliance with the federal Individuals with Disabilities Education Act (IDEA) and corresponding federal and state regulations. IDEA requires that all eligible disabled students receive special education and related services if they are between the ages of 3 and 21, meet the definition of one or more of the categories of disabilities specified in IDEA, and are in need of special education and related services as a result of the disability.

Federal special education law is intended to guarantee the rights of students and parents to a Free Appropriate Public Education (FAPE). The United States Supreme Court, in *Endrew F. v. Douglas County School District*, 137 S. Ct. 988 (2017), held that the provision of FAPE must be tailored to the unique needs of a particular student and that the school system must offer an Individualized Education Program (IEP) that is reasonably calculated to enable a student to make progress appropriate in light of the student's circumstances. In addition, the court ruled that a student's education program must be "appropriately ambitious" in light of the student's unique circumstances.

Given the complexity and individualized nature of IEPs the value of having a well-designed online IEP system can hardly be overstated. First, parents deserve a clearly communicated document regarding their student's learning, services, and progress. MSDE describes the IEP as "a written document and process outlining the who, what, when, why, where and how of instruction and related services that are to be provided to a student with disabilities." Second, special education is a field that is continuously identified as deserving relief from paperwork requirements. MABE believes that the task force on the State's online special education system will lead to statewide improvements in special education recordkeeping and communications and thereby assist parents and the many staff contributing to each student's IEP and other special education plans and services.

For these reasons, MABE requests a favorable report on House Bill 1237.