



Bill: HB 903 – SB 797

Title: Education – Access to Attorney, Advocates, and Consultants for Special Education Program and Fund - Established

Date: February 21, 2024 and February 23, 2024

Position: Support

Position: Dorie Flynn, Executive Director at 410-938-4413

The Maryland Association of Nonpublic Special Education Facilities (MANSEF), representing 70 MSDE approved special schools across Maryland, is pleased to offer our support to House Bill 903. We currently serve over 3000 publicly funded students with IEPs and employ over 1500 teachers, clinicians, and administrators.

Students with disabilities are guaranteed a free appropriate public education (FAPE) under the federal *Individuals with Disabilities Education Act* (IDEA.) IDEA provides for a full continuum of educational options. For some students their education is provided for in a special education school.

IDEA and COMAR afford parents the right to seek legal counsel or have an advocate assist them in obtaining the most appropriate services for their child. However, the IEP process can be intimidating and costly. In fact, it can be frightening, and parents cannot always do it alone. Without professional assistance, parents are left to navigate a legal and complicated process on their own. This bill allows for, on a limited basis, access to properly vetted experienced attorneys and advocates for those families who qualify as outlined in the proposed legislation. While MSDE provides for many guidance documents such as the Maryland Procedural Rights Safeguards brochure, many families find it difficult to understand their rights when advocating for their child and this legislation will offer access and assistance to families who otherwise cannot afford to hire such experts.

Advocates and attorneys can help a parent walk through the statutes and regulations and understand the IEP process as a whole. Thereby having access to attorneys and advocates who can assist a parent makes for a smoother and more efficient IEP process.

We as a State should do all we can to assist families who are seeking help with what is a challenging experience. In my role as an advocate, I hear from parents everyday who are struggling to find appropriate services and want to ensure their child is receiving the necessary support to succeed. We encourage parents to advocate and speak up, yet many do not feel they are equal partners on the IEP team. Unfortunately, it is often families from disadvantaged backgrounds who find themselves without the recourse to pursue for their own child what is needed. This inequity puts parents at a

disadvantage immediately as they do not have the skills necessary to adequately present their concerns and are inhibited by the IEP process. Attorneys and advocates can change that dynamic.

One other component of the bill is data collection which is essential in understanding why families are seeking assistance and lays the foundation for the State and local school systems to improve long standing systemic communication concerns. Everyone can agree with the goal to streamline the IEP process and ensure we are meeting the goals and objectives for each and every student with an IEP.

MANSEF supports the belief that each student's unique needs are met on an individual basis in order to achieve his/her maximum potential. This bill will support a more conciliatory IEP process and promote collaboration between parents and school systems at IEP meetings. All students require a quality education and having active parents enhances the outcomes. Access creates fairness.