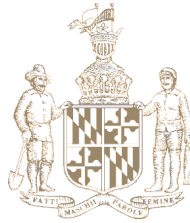


KATIE FRY HESTER
Legislative District 9
Howard and Montgomery Counties

Education, Energy, and
Environment Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 304
Annapolis, Maryland 21401
410-841-3671 · 301-858-3671
800-492-7122 Ext. 3671
KatieFry.Hester@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB 797 - Access to Attorneys, Advocates, and Consultants for Special Education Program and Fund

March 27, 2024

Chairwoman Atterbeary, Vice-Chair Wilkins, and members of the Ways and Means Committee:

Thank you for your consideration of Senate Bill 797, which will establish the Access to Attorneys, Advocates, and Consultants for Special Education Fund and Program. The program will ensure all students can access legal, advocacy, or consulting services in the case of a denial of services under their IEP (Individual Education Plan.)

This bill is the Senate cross-file of Chair Atterbeary's HB 903. I would like to commend her leadership and advocacy for many years on this issue at the state level, as I worked at the county level. I'd also like to thank the Senate President and the Chair of Budget & Tax, for their partnership on this important legislation.

SB 797 is almost identical to HB 903, as it received similar amendments with only a few differences. The Senate bill version includes the following changes that differ from those added in the House:

- Striking duplicative reporting requirements (bill page 8, section (m))
- Altering the definition of advocate (bill page 8, line 26)
- Providing that household income criteria be determined by the Maryland Volunteer Lawyers Service (bill page 9, line 13)
- Making technical changes on:
 - Bill page 9, line 23
 - Bill page 10, line 8
 - Bill page 10, line 12
 - Bill page 10, line 21
- Establishing consultation guidelines on training for advocates and consultants (bill page 10, line 16)
- Enabling the Maryland Volunteer Lawyers Service to authorize other nonprofit organizations to provide advocates and consultants with the training (bill page 11, line 5)

- Shifting the fund administration to the State Department of Education (bill page 12, line 11)
- Allowing the fund to be used for the development and distribution of written informational materials for parents (bill page 12, line 29)
- Reducing the annual appropriation to \$1,000,000 (bill page 13, line 13)
- Including data collection on the types of services the funds are used for, including mediation, due process hearings, court proceedings, legal representation, advocacy, and consultancy services (bill page 14, line 24)

This bill recognizes and addresses the unique challenges faced by Maryland families with children with disabilities and will ensure that every parent and guardian can effectively participate in advocating for their children's educational needs. **For these reasons, I respectfully request a favorable report with the included amendments to SB797.**

Sincerely,

A handwritten signature in cursive script that reads "Katie Fry Hester".

Senator Katie Fry Hester
Howard and Montgomery Counties