



PSSAM
Public School Superintendents' Association
OF MARYLAND

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BILL: SB 797

TITLE: Education - Access to Attorneys, Advocates, and Consultants for Special Education Program and Fund - Established

DATE: March 27, 2024

POSITION: Favorable

COMMITTEE: House Ways and Means Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, **supports** Senate Bill 797.

This bill establishes the Access to Attorneys, Advocates, and Consultants for Special Education (AAACSE) Program administered by the Maryland Volunteer Lawyers Service (MVLS) and the AAACSE Fund, administered by the Maryland State Department of Education (MSDE). The AAACSE Program directs resources and services to eligible students to provide access to legal, advocacy, and consultant services. Eligible students are those with a disability whose parent (1) meets household income guidelines established by MVLS and (2) made at least one attempt to resolve a disagreement with a public agency regarding the child's special education services or program. Beginning in fiscal 2026, the Governor must include \$1.0 million to the AAACSE Fund in the annual budget bill.

Local superintendents consistently place top priority on providing special education services to our students. We strive to ensure that our students receive high quality special education programs and instruction that will meet their individual needs. We work diligently to adhere to comprehensive federal and state requirements to serve our special education students.

PSSAM supports the innovative nature of this legislation and is very pleased with the changes made to the bill including the definition of "advocate" to provide quality control on who is being paid to speak for, or represent, some of our most vulnerable students.

Similarly, we are pleased to see the inclusion of more specific requirements and criteria regarding training for attorneys, advocates and consultants to ensure that they are knowledgeable on all aspects of state and federal special education regulations and statutes. According to our special education directors, a misinformed advocate or representative can do serious damage to the delicate and deliberative process of ensuring the most appropriate special education services.

Lastly, we are strongly supportive of the bill's removal of the initially proposed reporting requirements by LEAs. We appreciate the committee's recognition that those proposed requirements are not related to the work of the new Program or Fund. In addition, they are largely duplicative of other special education reporting, and do not have a clear purpose or rationale for inclusion in this bill. Special educators are responsible for important medical billing and related administrative functions that require accurate data recordation and meaningful reports that are shared with families on a formal basis each quarter and on an informal basis throughout the student's tenure with the school system. These existing reports allow the school team and parents to effectively understand student needs, track progress, and pivot practices and strategies for success. The bill's initially proposed reporting requirements did not enhance this process and are appropriately amended out of this bill.

PSSAM supports a special education system that respects the dedication and professional expertise of special educators and school administrators to develop, in collaboration with parents, individual education programs (IEPs) to identify and determine the most appropriate services for students. PSSAM welcomes the additional services Senate Bill 797 will provide to our special education students and families.

For these reasons, PSSAM requests a **favorable** report on Senate Bill 797.