

Education Advocacy Coalition for Students with Disabilities

HOUSE WAYS AND MEANS COMMITTEE

HOUSE BILL 655: EDUCATION—STUDENT BEHAVIOR—PARENT AND GUARDIAN NOTICE AND REQUIRED COUNSELING (PARENT AND GUARDIAN ACCOUNTABILITY ACT)

DATE: FEBRUARY 18, 2026

POSITION: OPPOSE

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, opposes House Bill 655, which would require the parent or guardian of a student who engages in “two or more incidents of violent and disruptive behavior on school premises or during school-related activities during a school year” to seek and participate in counseling with the student and to make it unlawful for parents to fail to do so. The EAC has a number of concerns about House Bill 655.

First, the bill fails to define “violent and disruptive behavior.” Without a definition, school principals would have complete discretion to define the term as broadly as they wish. Secondly, the bill fails to take into account that many parents and guardians who do want community counseling or other mental health services for their children are unable to access them because of insurance barriers or limited availability of providers.

Most significantly, however, EAC members have extensive experience representing or working with students with disabilities such as autism, emotional, intellectual or behavioral disabilities, traumatic brain injury, or other disabilities that may cause the student to engage in challenging behavior for which counseling is simply not an appropriate intervention and which actually may be counterproductive. For example, a nonverbal student with a significant intellectual disability who demonstrates aggressive behavior in school will not benefit from traditional verbal counseling services. Making the student sit with a counselor may be frustrating and exacerbate the student’s behavior.

Further, in many situations in which a student does have challenging behavior, the student’s individualized education program may not contain appropriate goals and objectives or a behavior intervention plan reasonably designed to address the behavior and support the child. House Bill 655 would set up a situation in which students with disabilities and their parents or guardians may be penalized for the failure of the school system to provide appropriate services to address the student’s behavior. This is insupportable.

Education Advocacy Coalition Testimony: House Bill 655

Page Two

For all of these reasons, the EAC strongly opposes House Bill 655. For more information, please contact Leslie Seid Margolis, 410-370-5730 or lesliem@disabilityrightsmd.org

Respectfully submitted,

Selene Almazan, Selene Almazan Law, LLC

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Education Advocate

Beth Benevides, Autism Society of Maryland, Education Advocacy Coalition Co-Chair

Ellen A. Callegary (retired attorney)

Melanie Carlos, xMinds (Partnership for Extraordinary Minds)

Stephanie Carr, S.L. Carr Education Consultants, LLC

Rich Ceruolo, Parent Advocacy Consortium

Michelle R. Davis, M.Ed., ABCs for Life Success

Alyssa R. Fieo, Maryland Office of the Public Defender

Jennifer Engel Fisher, M.Ed., JEF Consultants, LLC

Lisa Frank, Special Kids Company

Beth Ann Hancock, Charting the Course

Leilani Hardy, Maryland Coalition of Families

Kalman Hettleman, Independent Advocate

Morgan Durand Horvath, M.Ed., Abilities Network

Stacy Ganz Kahn, Education Resources Group of Greater Washington

Rosemary Kitzinger and Marjorie Guldán, Bright Futures, LLC

Ande Kolp, The Arc Maryland

Mallory Legg, Project HEAL--Kennedy Krieger Institute

Rachel London, Maryland Developmental Disabilities Council

Leslie Seid Margolis, Disability Rights Maryland

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Beth Nolan, Education Team Allies

Kate Raab, Law Offices of Joseph & Rabb

Ronza Othman, National Federation of the Blind of Maryland

Rebecca Rienzi, Pathfinders for Autism

Jaime Seaton, BGS Law, LLC

Ronnetta Stanley, M.Ed., Loud Voices Together

Guy Stephens, Alliance Against Seclusion and Restraint

Education Advocacy Coalition Testimony: House Bill 655

Page Three

Wayne Steedman, Steedman Law Group, LLC

Winifred Winston, Decoding Dyslexia Maryland

Additional signatory:

Rick Tyler, Maryland Education Coalition