



House Bill 714

Special Education – Learning Continuity Plan – Requirement

MACo Position: **OPPOSE**

To: Ways and Means Committee

Date: February 10, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **OPPOSES** HB 714. This bill imposes uniform processes and entitlements for special education services, that may run contrary to local school board decisions and capacity.

MACo recognizes the desire to create accommodations during times of school closures, and each county school board and leadership surely takes such matters seriously. However, HB 714 would substitute a one-size-fits-all state policy for that local judgment. It would potentially place a costly mandate on school systems and county governments to carry out this new uniform state policy to provide eligible students with an additional continuity of education plan to accompany each Individualized Education Program (IEP) for school closures of 10 days or more.

HB 714 would mandate local school boards to provide each eligible student with internet access and access to any electronic device necessary for participating in the IEP program. The state funding for public schools is set via a formula. Adding new cost components to the required school program belies the lengthy debates regarding these adequacy figures. So, counties have no choice but to support these new costs — competing for limited local funds against school construction, public safety, roadway maintenance, and other essential public services. If federal funds are a potential resource for the services envisioned in HB 714, legislation to prioritize these functions as a part of locally developed plans could be a more appropriate state-local partnership.

Local school systems work to meet the unique needs of each student through individualized services, and develop responses to school closures and other factors accordingly. HB 714 upends this local governance with a rigid state policy, triggering unknown costs without accompanying resources. Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report on **HB 714**.