

**Addendum to Procedural Safeguards Document
(Provision of documents 5 business days prior to the team)**

The Maryland General Assembly passed House Bill 269 (HB 269) and Senate Bill 540 (SB 540), which amend Education Article §8-405, Annotated Code of Maryland. The revisions require school personnel to provide you with an accessible copy of each assessment, report, data chart(s), draft Individualized Education Program (IEP), or other document the IEP team or other multidisciplinary education team plans to discuss at that a scheduled meeting. These documents must be provided at least five (5) business days before the scheduled meeting. The statutory language requires that:

Before an IEP or other multidisciplinary education team meeting:

- At least five (5) business days before a scheduled IEP team meeting or other multidisciplinary education team meeting, the parents are to receive an accessible copy of each assessment, report, data chart(s), draft IEP, or other document the team plans to discuss at the meeting. In accordance with the Individuals with Disabilities Education Act (IDEA) 34 CFR §300.11(b) and the Code of Maryland Regulations (COMAR) 13A.05.01.03B(9) a “business day” is defined as Monday through Friday, except for federal or State holidays, Baltimore County Public Schools is open for business whether or not students are required to be in attendance for instruction.
- If school personnel are unable to provide an accessible copy of the documentation at least five (5) business days before the scheduled meeting because of an extenuating circumstance, school personnel are to document and communicate to you the nature of the extenuating circumstance that prevented school personnel from providing accessible copies of the material(s).

After an IEP or other multidisciplinary education team meeting when the purpose to develop an IEP:

- Not later than five (5) business days after a scheduled IEP or other multidisciplinary education team meeting, appropriate school personnel are to provide parents an accessible copy of the completed IEP. If the IEP has not been completed by the fifth business day after the IEP team meeting, school personnel shall provide the parents with the draft copy of the decisions made regarding the IEP.

In accordance with Education Article §8-405(e), Annotated Code of Maryland, failure of school personnel to comply with the timelines and actions does not constitute a substantive violation of the requirement to provide a free appropriate public education (FAPE). However, you maintain the right to initiate a complaint with the Maryland State Department of Education and initiate mediation or due process with the Office of Administrative Hearings on matters involving the identification, evaluation, placement or provision of services under IDEA.