



Technical Assistance Bulletin)

16-01)

January 2016



Division of Special Education/Early Intervention Services

Birth-4		Birth-K		Age 3-K		Age 3-21			Birth-21	
---------	--	---------	--	---------	--	----------	--	--	----------	--

Frequently Asked Questions About Transportation of Children with Disabilities)

Overview

This document provides guidance to local school systems (LSS) in Maryland regarding State and federal requirements for transportation of children with disabilities. Transportation of children with disabilities requires thoughtful and timely planning beyond the scope of the ride to and from school. Under the Individuals with Disabilities Education Act (IDEA), transportation is considered a related service that includes travel to and from school and between schools, travel in and around school buildings, and specialized equipment (such as special or adapted buses, lifts, and ramps) if required. All children with disabilities are not eligible for the related service transportation. This determination is made, on a case-by-case basis, by the individualized education program (IEP) team, including the parent, and should be based upon the unique needs of an individual child.

A critical aspect of transportation is appropriately trained personnel. In 2003, the United States Department of Education (USDE), Office of Special Education Programs (OSEP) issued a memorandum entitled, *Ensuring Safe and Appropriate Transportation for Children with Disabilities*. It states: “Transportation providers play an integral role in the school lives of many children, including children with disabilities, which makes effective communication between the school and the providers essential. We believe that, for the safety and well-being of all children who ride school buses, including children with disabilities, it is crucial that they are appropriately and effectively transported by well-informed and well-trained transportation providers.”

In order for safe transportation to occur, it is essential that transportation personnel and special education personnel have in place a system of communication. The guidance below is designed to provide a basic understanding of transportation requirements in order to facilitate effective communication.

Questions and Answers

- 1. Do the regulations for Part B of the Individuals with Disabilities Education Act (IDEA), published in the Federal Register on August 14, 2006 address the related service transportation?**

The IDEA and its implementing regulations address the transportation needs of children with disabilities by defining the related service transportation. In addition, transportation is addressed in a memorandum issued by OSEP entitled, *Questions and Answers on Serving Children with Disabilities Eligible for Transportation* (November 2009).

2. What is the definition of the related service transportation?

Transportation (Part B) includes–

- (i) Travel to and from school and between schools,
- (ii) Travel in and around school buildings, and
- (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability (34 CFR §300.34 (c)(16)).

It is recommended at the initial IEP meeting and as appropriate thereafter, that qualified personnel determine if a child with a disability is eligible for the related service transportation. Discussions should include: pick-up and drop-off location; length of ride time to and from the school; required supervision; and specialized equipment needs.

3. How do other related terms impact the provision of the related service transportation?

In addition to the definition of the related service transportation, there are other definitions in the IDEA that have a direct impact on the provision of transportation for children with disabilities. These terms provide further guidance about what is required to provide appropriate transportation. These definitions and related terms include:

- ***Assistive Technology Device***

As used in this part, assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. This term does not include a medical device that is surgically implanted or the replacement of such device. (34 CFR §300.5)

When a child requires specialized equipment their need should be determined at the IEP meeting and documented on the IEP. Specialized equipment should be in good working condition.

- ***Assistive Technology Service***

As used in this part assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes–

- (a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child’s customary environment;
- (b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- (c) Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing assistive technology devices;
- (d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (e) Training or technical assistance for a child with a disability or, if appropriate, that child’s family; and
- (f) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child (34 CFR §300.6).

At the IEP meeting, consideration should be given to any specialized equipment required for an individual child to ride safely in accordance with the manufacturer’s instructions. This

information should be documented on the IEP. Transportation personnel should receive training about each piece of specialized equipment and how it should be utilized with an individual child based upon their individualized needs.

- ***Location of Services and Transportation***

“If necessary for the child to benefit from or participate in the services provided under this part, a parentally-placed private school child with a disability must be provided transportation—

- (a) From the child's school or the child's home to a site other than the private school; and
- (b) From the service site to the private school, or to the child's home, depending on the timing of the services.
- (c) LEAs are not required to provide transportation from the child's home to the private school” (34 CFR §300.139).

Parents should be informed by the local school system (LSS) about transportation service to and from a parentally-placed private school. It is recommended that this information be in writing and consistent with the LSS written policies and procedures.

- ***Nonacademic Services***

- (a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.
- (b) Nonacademic and extracurricular services and activities may include counseling services, athletics, **transportation**, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available (34 CFR §300.107).

Transportation for children with disabilities to nonacademic and extracurricular services should be provided to the same extent it is provided for children without disabilities.

- ***Special Education-Travel Training***

Travel training means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to:

- (i) Develop an awareness of the environment in which they live; and
- (ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community). (34 CFR § 300.39(a)(2)(ii), (b)(4))

Travel training is important to facilitate independent safe travel to and from school and in the community. It is essential for the IEP team to consider the need for travel training when planning for a child’s postsecondary transition needs. This decision should be made on a case-by-case basis based upon the individual needs of a child. Travel training should include the cooperative planning of special education and transportation personnel prior to implementation. Travel training may be essential to support functional independence.

4. How is eligibility for transportation services determined?

It is the responsibility of the IEP team, including the parent, to determine eligibility for

transportation to assist a child with a disability to benefit from special education and related services. The IEP team should include all personnel necessary to make an informed decision in order to provide safe transportation and meet the individual needs of a child with a disability.

“In all instances, each student's need for transportation as a related service and the type of transportation to be provided are issues to be discussed and decided during the evaluation process and individualized education program (IEP) meeting, and the transportation arrangements agreed upon should be included in the disabled student's IEP. If the IEP team determines that transportation is a related service, including it in the IEP for a particular student because it is required to assist that student to benefit from special education, the public agency must provide transportation to the student at public expense.” (Letter to Smith, Office of Special Education Programs, July 12, 1995.)

5. What transportation services should the IEP describe?

The IEP should describe the transportation services required to and from school including participation in nonacademic and extracurricular activities, as appropriate in order to afford equal opportunity for participation in those services and activities to the maximum extent appropriate to meet the needs of that child.

(34 CFR §§300.107 and 300.117)

6. When should it be determined if a child requires a climate controlled school bus?

“Climate-controlled transportation is not explicitly required under the IDEA. However, if an IEP team determines that a child needs climate-controlled transportation to receive special education services, related services, or both, and the child’s IEP specifies that such transportation is necessary, the LSS must provide this special transportation at no cost to the parents. Similarly, climate-controlled transportation is not required under section 504 of the Rehabilitation Act of 1973, as amended (Section 504) unless a child with a disability has an identified need for this transportation. See 34 CFR Part 104.

However, the transportation of nondisabled children in climate-controlled buses, while children with disabilities are transported in separate buses that are not climate-controlled, might raise issues of disability discrimination under Section 504.” (Questions and Answers on Serving Children with Disabilities Eligible for Transportation-November 2009).

The IEP team meeting should include qualified professionals that are knowledgeable about the child and their specific individual needs when making decisions about climate control school buses. Parents are not required to provide documentation in order to access a climate controlled school bus. However, it is appropriate to ask parents to share available medical documentation at the IEP meeting to support this need.

7. How is it determined if a school bus attendant is required on the school bus transporting children with disabilities?

A determination regarding the assignment of a school bus attendant to assist with the supervision of children with disabilities is a LSS decision. However, it is the responsibility of the IEP team to determine if an individual child requires a bus attendant in order to receive a free appropriate public education (FAPE). This decision should be recorded on the IEP document and include the specific accommodations required for the student from the bus attendant to ensure safe transportation.

COMAR 13A.06.07.15 requires an annual report on students with disabilities, in which each local school system must submit a report to the Office of Pupil Transportation that includes certification of preservice and in-service instruction provided to drivers and attendants on disabling conditions, behavior management techniques, passenger safety restraints, emergency

procedures, and other appropriate topics. Bus attendants assigned to a specific student or supervising students on the school bus should have the skills required to carry out their job responsibilities and be knowledgeable about the specific student population served.

8. Does least restrictive environment (LRE) apply to the transportation of children with disabilities?

LRE applies to both the placement and transportation of children with disabilities. It is stated in COMAR 13A.05.01.10) that:

- 1) A public agency shall ensure that:
 - (a) The educational placement decision of a student with a disability is:
 - (i) Made by the IEP team;
 - (ii) Made in conformity with the LRE provision of the Act and Regulation .10 of this chapter;
 - (iii) Determined at least annually;
 - (iv) Based on the student's IEP; and
 - (v) As close as possible to the student's home;
 - (b) Unless the IEP of a student requires some other arrangement, the student is educated in the school or typical early childhood setting that the student would attend if not disabled;
 - (c) In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services that the student needs;
 - (d) A student with a disability is not removed from education in an age-appropriate regular classroom or typical early childhood setting solely because of needed modifications in the general curriculum; and
 - (e) If the IEP team determines a student with a disability cannot be educated in the school or typical early childhood setting the student would attend if not disabled, the IEP shall document the specialized transportation needs of the student as defined in Regulation .03B(81) of this chapter, including consideration of the effect transportation may have on the student in relation to the:
 - (i) Student's age and disability;
 - (ii) Specialized equipment needs of the student;
 - (iii) Personnel needed to assist the student during transportation;
 - (iv) Amount of time involved in transporting the student; and
 - (v) Distance the student will be transported.

Clearly, the IEP team is required discuss the above requirements on a case-by-case basis. When children with disabilities are removed from school buses serving general education children, it should be based upon the specific unique needs of an individual child and documented on the IEP.

9. What transportation considerations should be discussed prior to finalizing a nonpublic placement decision?

The nonpublic school placement recommendation should include a discussion about transportation services required prior to program placement in order to ensure transportation feasibility to the placement location and reasonable ride time. It is necessary to consider the length of ride time and the impact on the child to benefit from FAPE. At the IEP Team meeting special education and related service personnel, parents, and transportation personnel should discuss the impact of the length of ride time on an individual child. The IDEA regulations state: "The child's placement is as close as possible to the child's home; and in selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs." (34 CFR §300.116 (d))

10. What is the maximum amount of time a child may spend on a school bus traveling to and from school?

The IDEA and Section 504 of the Rehabilitation Act do not specifically address an appropriate length of ride time that is required. However, Section 504 has provided past remedies in specific instances when a lengthy bus ride may be discriminatory and when the denial of a Free Appropriate Public Education (FAPE) has occurred. In case law regarding this matter, it has been repeatedly noted that when excessive travel time has had an adverse impact on the ability of a child to benefit from FAPE and an individual child has been affected negatively, school districts have been required to address and correct ride time issues. In general, the USDE, OCR reviews the ride time of all students prior to making a determination of discrimination.

11. Is transportation to and from childcare centers required under the IDEA?

The IDEA does not specifically address this matter. Each LSS is encouraged to address this issue and make it known to parents at the IEP meeting the LSS written policies and procedures on this matter. It is advised that if the LSS provides transportation to and from childcare centers for the general student population there be in place a procedure to address this same provision for children with disabilities. Children with disabilities must be afforded the same opportunities as children without disabilities. Transportation to childcare centers for children within specific geographic boundary areas should apply equally to children with disabilities.

12. When should pickup and drop-off location be determined?

It is appropriate at the time of the IEP meeting to determine bus stop location including pickup and drop-off location such as curb-to-curb service. Neither IDEA nor Section 504 of the Rehabilitation Act specifically addresses whether transportation should be from a designated bus stop or from the curbside in front of a child's home. This decision is left to the IEP team and based upon the individual needs of the child. Each IEP team decision should be made on an individual basis, taking into consideration the child's cognitive level, emotional stability, physical functioning and chronological age. Pick-up location should not be a unilateral transportation office decision.

13. When may a child with a disability be suspended from school bus transportation?

“If transportation is included in the child’s IEP, a bus suspension must be treated as a suspension under 34 CFR §300.530 and all of the discipline procedures applicable to children with disabilities would apply. An LSS is not required to provide alternative transportation to a child with a disability who has been suspended from transportation for 10 school days or less unless the LSS provides alternative transportation to children without disabilities who have been similarly suspended from bus service. 34 CFR §300.530(d)(3).

If a child with a disability is suspended from transportation for more than 10 school days in the same school year, and transportation is included in the child’s IEP, during any subsequent suspensions the LSS must provide services to the child to the extent required in 34 CFR §300.530(d). Generally, this means that the child must: 1) continue to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child’s IEP, and 2) receive as appropriate a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation(s) so that they do not recur.

Additionally, the suspension of a student with a disability from transportation may constitute a change of placement if a district has been transporting the student, suspends the student from the transportation as a disciplinary measure, and provides no other form of transportation. If a student is suspended from transportation for more than 10 consecutive school days, or is

repeatedly suspended, and such suspensions constitute a pattern under 34 CFR §300.536(a)(2), a change of placement has occurred. In such situations, the LSS, parent, and relevant members of the IEP Team must determine whether the conduct was a manifestation of the child's disability, using the process described in 34 CFR §300.530(e).

If the conduct is a manifestation of the child's disability, the IEP Team must take the steps outlined in 34 CFR §300.530(f)(1), and also must return the child to the placement from which the child was removed, unless the parent and the LSS agree to a change of placement as part of the modification of the behavioral intervention plan. 34CFR§300.530(f).

Regardless of the procedures discussed above, school personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child has taken any of the actions specified in 34 CFR §300.530(g) regarding weapons, illegal drugs, or the infliction of serious bodily injury." (Questions and Answers on Serving Children with Disabilities Eligible for Transportation-November 2009).

It is recommended that documentation support the decision for a school bus suspension. Incident reports should be comprehensive and meet the LSS required documentation standards for all children. When a transportation problem becomes systemic, the need for an IEP team meeting should be considered to determine if appropriate bus intervention is required and if additional personnel training would serve as a preventative measure to ensure safe transportation.

14. When should bullying on school buses be addressed?

It is essential to immediately address any known bullying that occurs on a school bus in order to restore a safe transportation environment. Drivers and bus attendants should observe and report bullying behavior on the school bus to LSS designated administrative personnel. Ignored bullying may prevent children with disabilities from receiving a safe ride to and from school. Bullying can constitute a violation of IDEA 2004, Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act (ADA) by preventing children with disabilities from access to education because of a fear for their safety. Bullying should be addressed consistent with federal, and State law as well as written and practiced LSS policies and procedures.

15. Does the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) specifically address transportation?

FERPA clarifies that for individuals who have a "legitimate educational interest" disclosures of personally identifiable information from education records is permissible under specific circumstances. The FERPA regulations clarify that this exception may include contractors when it would otherwise use employees to perform these functions. It is critical to recognize that these contractors are subject to the same conditions governing the use and redisclosure of education records as school districts. All transportation personnel provided personally identifiable student information should be trained regarding FERPA requirements specific to children with disabilities.

It is recommended that training be documented and provided annually. When information on the school bus is personally identifiable it should be placed in a secure location and not readily available to children on the bus.

16. Is the LSS required to provide information to school transportation personnel including bus drivers and attendants to ensure that the confidentiality protections of children who are transported are protected?

"Each person, including a school bus driver, who collects or uses personally identifiable

information concerning a child with a disability, must receive training or instruction about the State's policies and procedures protecting the confidentiality of such information under 34 CFR §300.123 and 34 CFR Part 99.

Transportation providers play an integral role in the school lives of many children, including children with disabilities. Effective communication between schools and transportation providers is essential, including communication about transportation needs and potential problems of children with disabilities. To the extent appropriate, school personnel in the LSS should ensure that school bus drivers and other transportation providers are well informed about protecting the confidentiality of student information related to (1) the special needs of individual children with disabilities who ride on school buses with their general education peers, and (2) possible strategies and assistance that may be available to drivers (including the use of aides on buses)". (Questions and Answers on Serving Children with Disabilities Eligible for Transportation- November 2009).

17. When is transportation a Medicaid billable service?

According to COMAR (10.09.25.04, 10.09.25.05, 10.09.36.03.A(5)) requirements Medicaid billing is allowable when transportation is listed as an authorized service on the child's IEP. Transportation can only be billed on the same day that a health-related service has been provided. An accompanying and acceptable professional note must be available for the health-related service that has been provided on the day of transportation billing. Parental consent for billing a Medicaid health-related service must be available. The driver, teacher or assistant must maintain a transportation log. The log must document the student's name and an indication of whether transportation was provided on a one-way or round-trip basis.

18. What are the requirements to address transportation for homeless children with disabilities?

On August 5, 2013, the United States Department Of Education, Office of Special Education and Rehabilitative Services (OSERS) specifically addressed four (4) questions regarding the transportation of homeless children with disabilities. This information may be found in a letter to Ms. Diana Bowman. This information is available on the web by going to OSEP Memos, Dear Colleague Letters and Policy Letters.

Each LSS is recommended to ensure that homeless policies and procedures for children with disabilities are consistent with the guidance provided by OSERS.

19. What are the requirements to allow a service animal to ride a school bus?

Information addressing the use of "Service Animals" in schools is located in the Division of Special Education and Early Intervention, Publications and Information, Technical Assistance Bulletin 29. This information is located at:

<http://www.marylandpublicschools.org/msde/divisions/earlyinterv/>

In addition, the use of service animals on the school bus should take into consideration seating arrangements and location of the animal, emergencies, evacuations and other students' needs such as allergies. For a child riding a school bus with a service animal, it is good practice to provide an orientation about the animal to the other children and parents, and to address questions and concerns prior to initiating services. Positive communication and accurate information will foster receptiveness. Prohibiting a certified service animal to accompany a child on the bus can be illegal under IDEA, Section 504 of the Rehabilitation Act and the ADA. The United States Department of Justice (USDOJ) website at <http://www.usdoj.gov/> provides information about service animals as does the ADA website <http://www.ada.gov/> and the National Network website at <http://adata.org/factsheet/service-animals>

20. Is there a requirement to address sexual harassment on school buses?

In accordance with federal law (Title IX of the Education Amendments of 1972) each LSS has a responsibility to address sexual harassment of children with disabilities that occurs on the school bus. The OCR, which enforces Title IX, has recognized that sexual harassment occurring on a school bus may be especially intimidating because the restricted area may make it impossible for students to avoid their harassers.

Children with disabilities who are intellectually limited or nonverbal may be particularly vulnerable to sexual harassment from other children or school district employees. They may not fully appreciate the inappropriateness of sexually oriented behaviors; they may be unsure how to respond; and they may feel helpless to stop unwelcome conduct. Drivers and attendants should receive training to recognize sexual harassment and take immediate steps outlined in the LSS policies and procedures and federal regulations and guidelines to eliminate any form of sexual harassment. Transporters should assist by bringing concerns immediately to the appropriate personnel to facilitate resolution.

The OCR issued a document on April 29, 2014 titled “Questions and Answers on Title IX and Sexual Violence.” This report is available on the website at:

<http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

21. Are children with disabilities required to participate in evacuation drills?

Children with disabilities should participate and practice evacuation procedures to the same extent as nondisabled peers. Occupational and physical therapists are excellent resource personnel to assist with the planning for safe evacuation drills. All children with disabilities should be part of practice drills to the maximum extent appropriate.

It is important for the LSS to have an evacuation plan for emergency situations that takes into account the individual needs of children with disabilities. Careful planning may be required for specific disability groups including those children with autism, intellectual and emotional disabilities and students with limited mobility that use wheelchairs. Children with other health impairment using ventilation and oxygen equipment or other specialized equipment require very specific evacuations procedures to address emergencies. All school buses should be equipped with child-safe seat belt cutters to assist in the emergency evacuation of children in child safety restraint systems and wheelchairs. Evacuation procedures should be well known and practiced by drivers, attendants and substitute drivers. The daily seating plan should give consideration to required evacuation procedures. (Transporting Children with Disabilities, 5th Edition, National Association for Pupil Transportation, 2014).

22. Are there special considerations that should be addressed by the IEP Team in accordance with the LSS policies and procedures?

The following are some of the special considerations that should be addressed by the IEP Team including qualified personnel to make informed decisions: Diastat Administration on School Buses; Do Not Resuscitate (DNR) Orders; EpiPen Use; Extra-Curricular Activity Busing; Field Trip Participation; First Aid Training Of School Bus Drivers And Aides; Medication Transport; Nursing Services; Oxygen Transport; Parent Reimbursement; and Vagus Nerve Stimulator (VNS) Use. This list is not exhaustive. Additional areas may be required to be addressed by an IEP Team on a case-by-case basis. (Transporting Children with Disabilities, 5th Edition, National Association for Pupil Transportation, 2014).

23. When should the need for specialized equipment be addressed?

The need for specialized equipment on school buses for children with disabilities should be addressed at the IEP team meeting and documented on the IEP. When specialized equipment is required it must be based on an individual child's unique needs. It is unacceptable to make decisions about specialized equipment requirements outside of the IEP team meeting.

When a CSRS is recommended to ensure the safety of a child with unsafe behaviors on the school bus, a school psychologist and other qualified personnel should review the behavioral interventions that were implemented prior to making this recommendation. When it is determined that a CSRS is necessary, to provide a safe ride, for an individual child, the use of the specific specialized equipment should be documented on the IEP.

Mobile seating devices (wheelchairs) vary in structure, size, weight and durability and careful consideration should be given to appropriate securement. The Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) website at <http://www.resna.org/at-standards> is a recommended source of information.

Written manufacturers' guidelines should be followed when utilizing specialized equipment. It is essential that knowledgeable personnel be consulted on decisions regarding seating device securement and the use of child safety restraint systems (CSRS).

Qualified personnel including physical or occupational therapists, can be of assistance about the type of CSRS that is appropriate for an individual child based upon their specific needs. Federal and State law should be followed when making these decisions.

The National Highway Traffic Safety Administration (NHTSA) website provides guidance for the LSS on utilizing Child Safety Restraint Systems (CSRS). <http://www.nhtsa.gov/School-Buses>

24. What is the benefit of providing parents with a contact person to address transportation issues and concerns?

Frequently, parents contact the Maryland State Department of Education, Division of Special Education/Early Intervention Services prior to contacting the LSS about a transportation issue or complaint. This may occur when a parent lacks information regarding the appropriate contact individual in the LSS to articulate a transportation issue or complaint. It is recommended that at each child's IEP meeting parents be provided with contact information regarding who should be called in the transportation or special education office based upon the circumstance. In addition, it is essential that parent calls be timely returned in accordance with the LSS policies and procedures.

25. What dispute resolution procedures are available for parents?

State*

- State Complaint
- Mediation
- Due Process Complaint
- Parents may have remedies available under other laws that overlap with those available under the IDEA, but in general, to obtain relief under those other laws, parents must first use the available administrative remedies under the IDEA before going directly into court. The remedies available under the IDEA are: State Complaint, Mediation and Due Process. Frequently Asked Question (FAQ) documents are available at:

http://marylandpublicschools.org/MSDE/divisions/earlyinterv/complaint_investigation/FSDR_Branch.html

- (Parental Rights - Maryland Procedural Safeguards Notice - Infants and Toddlers/Preschool Special Education and Special Education, Effective July 1, 2013)

Federal*

- United States Department of Education, Office of Special Education and Rehabilitative Services (OSERS)
- United States Department of Education, Office of Special Education Programs (OSEP)
- United States Department of Education, Office of Civil Rights (OCR)
- United States Department of Justice (DOJ)

* Note: Both State and Federal courts may hear cases.

For more information, call 410-767-0249
MARYLAND STATE DEPARTMENT OF EDUCATION
Division of Early Intervention and Special Education Services
200 West Baltimore Street
Baltimore, MD 21201

Karen B. Salmon, Ph.D.
State Superintendent of Schools

Justin M. Hartings, Ph.D.
President
State Board of Education

Carol A. Williamson, Ed.D.
Deputy State Superintendent for Teaching and Learning

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Early Intervention and Special Education Services

Larry Hogan
Governor

© 2018 Maryland State Department of Education, Division of Early Intervention and Special Education Services

Produced under the guidance of Marcella E. Franczkowski, Assistant State Superintendent, Division of Early Intervention and Special Education Services. Please include reference to the Maryland State Department of Education, Division of Early Intervention and Special Education Services on any replication of this information. To request permission for any use that is not "fair use" as that term is understood in copyright law, contact: Maryland State Department of Education, Division of Early Intervention and Special Education Services, 200 W. Baltimore Street, 9th Floor, Baltimore, MD 21201, Phone 410-767-0249, MarylandPublicSchools.org.

This document was developed using grant funding provided to the Maryland State Department of Education from the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS)/Office of Special Education Programs (OSEP), under the Individuals with Disabilities Education Act. The Maryland State Department of Education does not discriminate on the basis of race, color, sex, age, national origin, religion, or disability in matters affecting employment or in providing access to programs. For inquiries related to departmental policy, please contact the Equity Assurance and Compliance Branch: Phone 410-767-0433, TTY 410-767-0426, Fax 410-767-0431.