

Division of Special Education/Early Intervention Services

Base Realignment and Closure (BRAC) Impact on Services for Students with Disabilities

On June 21, 2007 Senator Barbara Mikulski announced that the Senate Appropriations Committee passed a federal fiscal year 2008 Labor, Health and Human Services and Education Appropriations Bill that includes increased federal Impact Aid. Impact Aid is distributed to local school systems based upon the number of federally connected children enrolled in school systems. Federally connected children are students with a parent who is either a member of the Armed Forces living and/or working on a military base, or who is a civilian contractor working on a military base or other federally owned land.

1. What is BRAC?

"BRAC" is an acronym that stands for Base Realignment and Closure. It is the congressionally authorized process. The Department of Defense (DoD) has previously used this process to reorganize its base structure to more efficiently and effectively support our forces, increase operational readiness, and facilitate new ways of doing business.

2. How are local school systems organized within the State of Maryland?

For public education, Maryland is comprised of 24 local school systems governed by each county within the State and Baltimore City. Each school system has a local Board of Education. Each local school system is responsible for providing services to students with disabilities whose parents reside within a county or Baltimore City.

3. Which counties in Maryland are expected to be impacted the most by BRAC?

The BRAC sub-cabinet identified the following local school systems likely to be most impacted by the influx of military personnel and their families to include: Anne Arundel County, Baltimore City, Baltimore County, Cecil County, Frederick County, Harford County, Howard County, Montgomery County and Prince George's County.

The BRAC sub-cabinet identified the following five regions/bases impacted: Aberdeen Proving Grounds, Ft. George G. Meade, Ft. Detrick, Andrews Air Force Base, and Bethesda National Naval Medical Center.

4. If I have a child with a disability, will he or she receive services when our family arrives in Maryland?

Yes. When a student with a disability with an Individualized Education Program (IEP) transfers to a local school system in Maryland from another state, the local school system in which the student intends to enroll, in consultation with the student's parents, shall provide a free appropriate public education (FAPE) to the student, including services comparable to those identified in the former district's IEP, until the new local school system:

- (a) Conducts an evaluation to determine if the student is a student with a disability in Maryland; and
- (b) Develops a new IEP, if appropriate.

To facilitate an out-of-state transfer, the new district where the student enrolls has to take reasonable steps to promptly obtain the student's records, including the IEP, any supporting documents, and any other records concerning the provision of special education or related services from the previous district where the student was enrolled. The previous district where the student was enrolled must take reasonable steps to promptly respond to the request from the new district.

In the event parents wish to enroll their child with a disability in a private school, the local school system in which a private, including religious, elementary schools and secondary schools are located must carry out child find requirements, including parentally-placed private school children. No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school. In consultation with representatives of parentally placed private school children, a local school system determines the services to provide parentally placed children with disabilities. For each child with a disability designated to receive services, the local school system will develop and implement a services plan. The services plan must describe the specific special education and related services that the LEA will provide to the child in light of the services that the LEA has determined through the consultation process described below that it will make available to its population of parentally-placed private school children with disabilities. The local school system must initiate and conduct meetings to develop, review, and revise a services plan for a child designated to receive services. The local school system must ensure that a representative of the religious or other private school attends each meeting.

[34 CFR §§300.130 – 300.137; 300.323(f); COMAR 13A.05.01.09E(2); COMAR 13A.05.01.16]

5. My child's disabilities significantly impact his ability to access the general curriculum. Will my child be included in general education classes with his nondisabled peers?

In accordance with the Individuals with Disabilities Education Act (IDEA), each child's IEP team, including the child's parents, is responsible for the development, review, and revision of the child's IEP that documents the services, supplementary aids, supports, and program modifications the IEP team determines are needed to provide FAPE to the child. The IEP team also determines the least restrictive placement in which these services are to be provided.

Each public agency shall ensure that, to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are not disabled. Special classes, separate schooling, or other removal of students with disabilities from general educational settings occur only if the nature or severity of the disability is such that education in general education settings, with the use of supplementary aids, services, supports, and program modifications cannot be achieved satisfactorily.

34 C.F.R. §§300.114-117; COMAR 13A.05.01.10C]

6. Who do I contact if I think my child may have a disability and may need special education and related services under the Individuals with Disabilities Education Act (IDEA)?

Each local school system has a local director of special education. If you believe your child may be a child with a disability, or you are transferring to Maryland and your child has previously been receiving services, below is a list of the telephone numbers for each local director of special education for your convenience:

Local School System	Local School System
Allegany: 301-759-2064	Harford: 410-588-5246
Anne Arundel: 410-222-5410	Howard: 410-313-6659
Baltimore City: 410-396-8901	Kent: 410-778-6422
Baltimore Co: 410-887-3660	Montgomery: 301-279-3135
Calvert: 410-535-7421	Prince George's: 301-817-3142
Caroline: 410-479-3246	Queen Anne's: 410-758-2403, x120
Carroll: 410-751-3033	St. Mary's: 301-475-5511
Cecil: 410-996-5449	Somerset: 410-651-1616
Charles: 301-392-7587	Talbot: 410-822-0330
Dorchester: 410-228-4747	Washington: 301-766-2970
Frederick: 301-644-5281	Wicomico: 410-677-4507
Garrett: 301-334-7655	Worcester: 410-632-0459

7. My child's IEP team, in my former district of residence, determined my child required placement in a publicly-funded private placement in order to receive FAPE. Does the entitlement to that publicly funded private placement continue even though I have moved?

No. Since you are no longer a resident of the district previously responsible for your child's publicly-funded private placement, the new district in which you reside and in which you intend to enroll your child, shall consult with you on the provision of FAPE, including services comparable to those identified in the former district's IEP, until the new district:

- (a) Conducts an evaluation to determine if the student is a student with a disability in Maryland; and
- (b) Develops a new IEP, if appropriate.

To facilitate an out-of-state transfer, the new district where the student enrolls has to take reasonable steps to promptly obtain the student's records, including the IEP, any supporting documents, and

any other records concerning the provision of special education or related services from the previous district where the student was enrolled. The previous district where the student was enrolled must take reasonable steps to promptly respond to the request from the new district.

[34 CFR §300.323(f)-(g); COMAR 13A.05.01.09E(2)]

8. Who do I contact if my child attends a private or parochial school at my expense and I think my child may have a disability and may need special education and related services under the Individuals with Disabilities Education Act (IDEA)?

If your child is currently attending a private school in a local jurisdiction other than the local jurisdiction where you reside and you believe that the child may be in need of special education and related services, the local school system where the private school is located is responsible for child find activities under IDEA. Therefore, please contact the school system where the private school is located for assistance with assessment, evaluation, and identification for that child to determine if the child is a child with a disability under IDEA. A list of contact numbers for each jurisdiction can be found with Question #6 above. Additional information regarding services to parentally placed private school children may be found in Question #4 above.

9. My child was receiving early intervention services in another State. Who do I contact for services for my child?

The Maryland State Department of Education is the State agency within Maryland responsible for coordinating the implementation of Part C of IDEA, Infants and Toddlers Program. The Maryland Infants and Toddlers Program can assist families of children with special needs from birth to three years of age along the child's developmental journey. Support, information, and coordinated services in community settings are what families tell us enhance their ability to manage the challenges and celebrate the gifts that each child has to offer. For more information, contact The Maryland Infants and Toddlers Program at 410- 7667-0261, or 1-800-535-0182.

Each county and Baltimore City has an interagency Local Infants and Toddler Program. Below is a list of the Single Point of Entry contact for each local Infants and Toddlers Program:

Local Infants and Toddlers Program	Local Infants and Toddlers Program
Allegany: 301-689-0466	Harford: 410-638-3823
Anne Arundel: 410-222-6911	Howard: 410-313-7017
Baltimore City: 410-396-1666	Kent: 410-778-1350
Baltimore County: 410-887-2169	Montgomery: 240-777-3997
Calvert: 410-535-7381	Prince George's: 301-265-8415
Caroline: 410-479-3246	Queen Anne's: 410-758-0720 x356
Carroll: 410-8676-4437 x 277	St. Mary's: 301-475-4393
Cecil: 410-996-5444	Somerset: 410-651-1485
Charles: 301-609-6806	Talbot: 410-820-0319
Dorchester: 410-221-5207	Washington: 301-766-8217
Frederick: 301-694-1612	Wicomico: 410-677-5250
Garrett: 301-334-1189	Worcester: 410-632-2582

10. My child is eligible to receive Medical Assistance (MA) benefits in Maryland. Is the local school system able to access MA reimbursement for direct school based health related services delivered in accordance with my child's IEP?

With your consent, the local school system can access reimbursement for direct health related services and IEP service coordination provided on behalf of your child consistent with the requirements and limitations of the Maryland State Plan for covered services.

11. My child has been diagnosed with a disorder on the Autism Spectrum and receives special education or early intervention services. Are there any additional services available for children with autism in Maryland?

Maryland has a Home and Community Based Services Waiver under Medicaid for children with Autism Spectrum Disorder that provides support for children with autism and their families. The waiver is currently filled to capacity. However, Maryland has initiated a waiver services registry for those interested in receiving services when additional opportunities become available. To be placed on the registry for these waiver services, please call 1-866-417-3480.

For more information, call 410-767-0858

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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, Voice (410) 767-0433, TTY/TDD (410) 333-3045, or Fax (410) 767-0431. In accordance with the Americans with Disabilities Act (ADA) this document is available in alternative formats, upon request. Contact the Division of Special Education/Early Intervention Services, Maryland State Department of Education at Voice (410) 767-0858, Fax (410) 333-1571.

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