

My name is Casey Huether and I thank the commission for providing the opportunity to speak with you today. I just learned about this commission and am here in support of the parental consent legislation you are considering. I also want to discuss my concerns about elimination of the MOD-HSA and ask for your help.

My [redacted] is a [redacted] 15 year old whose last day of 9th grade is today. [redacted] is looking forward to summer, going to the beach and a few summer camps we have booked for [redacted]. [redacted] has a great sense of humor, loves music, movies, singing and dancing. [redacted] is a cheerleader and participates in corollary sports (bocce ball, bowling and track) through school. [redacted] has a lot of friends and is a joy to be around.

[redacted] was born with Trisomy 21 which is an extra 21st chromosome found in every cell in [redacted] body. This is a health impairment which can be identified by a blood test only. Trisomy 21 impacts her motor skills, vision, speech and language and causes many medical issues too numerous to mention. [redacted] has a chronic hypothyroid condition caused by Trisomy 21, which also affects [redacted] growth and development.

[redacted] has received special education services since birth from CCPS as a result of [redacted] disability. Trisomy 21 is commonly known as Down syndrome.

Last year at [redacted] 8th grade triennial review, we were informed by the school psychologist that "Central Office" wanted an IQ test on [redacted]. However, the team who knows [redacted] decided it wasn't needed. Central office came to the next IEP meeting and threatened to take us to due process if we didn't consent. We believe they were trying to push [redacted] off the diploma track before high school by requiring an IQ test. We were unable to provide informed consent for their request since they wanted us to consent to unnamed tests, conducted by unnamed examiners, with an unknown purpose.

CCPS then invited their lawyer to our next IEP meeting, even though we were not bringing one – this was supposed to be [redacted] transition to high school meeting. We had no choice but to go without legal counsel and do the best we could. It was a horrible experience and had nothing to do with planning for [redacted] important transition to high school. CCPS allowed the lawyer to run the meeting and make all the decisions.

After that meeting we filed a complaint with the state, who found 11 violations of [redacted] rights and our rights as [redacted] parents by the school system. The state went very easy on CCPS, giving them the benefit of the doubt wherever possible. The problem with a slap on the hand is that it simply encourages the bad behavior to continue.

During this process we attended 6 IEP meetings, totaling over 20 hours of missed work in 2013. When CCPS offered to pay for an independent psychologist report, we obtained two separate independent evaluations. Both psychologists recommended leaving [redacted] coding as health impaired. We also provided letters from [redacted] pediatrician confirming [redacted] health impairment, along with a letter from [redacted] developmental optometrist confirming [redacted] visual motor tracking difficulties.

One of the psychologists, Dr. Kirk Griffith (www.nbatests.com), attended an IEP meeting with us early this year and advised the team that there was no reason to change coding as "the findings do not support a definitive diagnoses of intellectual function at this time." He went on to say that "children with significant communication disabilities, such as , often do not perform well on standardized tests for reasons unrelated to intelligence." 's needs are complex and scores were scattered. He explained that you can and should disregard a low score for many valid reasons, but there is no valid reason to disregard a high score like received on a non-verbal test.

At first they were going to change coding to Intellectual Disability, when the school psychologist intervened. Then, with recommendations from 2 independent psychologists and a medical doctor to keep coding as health impaired, CCPS changed her coding against our objections to Multiple Disabilities including ID. So is now labeled, without any professional evidence or recommendation to support an intellectual disability.

We were given no logical explanation how or why CCPS could support this change in the face of the assessments provided. Dr. Griffith was at a loss to explain why educators would label as ID without support or recommendations from any expert. Not only is this mislabeling wrong, it leads to low expectations for who is currently on the diploma track. Not one IEP goal, service or other change was made to IEP as a result and there is clearly no benefit to We are left convinced that this action was retaliation for exercising our rights by filing a state complaint.

For this reason, we urge you to approve and strengthen your proposed parental consent legislation by disallowing due process override by the school system when parents refuse to provide consent to psychological testing. School systems will then be under no further obligation under IDEA or COMAR with regard to the testing refused, just like they are today.

Luckily we were able to keep on the diploma track and : did well in first year of high school after a very rocky start. IEP requires that pass the MOD-HSA tests to earn a high school diploma because of needs. However we learned last week that MSDE has eliminated the MOD-HSA test and it will only be available to those students who took it once and failed. Had we known earlier, we could have made scheduling changes to allow to take the MOD-HSA test this year to meet needs.

I have attached an email here so you can see that multiple phone calls and emails about this issue have gone unanswered. Does the Division of Special Education at MSDE really have no input in this process? Where is the equity in a system that fails over and over?

The IEP team, including us, have determined that needs the MOD-HSA to demonstrate what has learned, due to disability. The test has not been taken out of publication; it is still being used for those students who failed it once. We do not understand why would not be allowed to take the MOD-HSA if the test still exists. 's needs have not changed just because the test is being phased out. We ask that you help us find a way to allow and other students like access to the MOD-HSA, based on their needs, until an approved replacement test is developed for use.

Thank you for your careful consideration and support.

Why would MSDE eliminate the MOD-HSA when students with disabilities are being educated on modified academic standards? How are they now supposed to pass the regular MSA in order to get a diploma? Apparently it will still be available for use by students who failed it once so why would students who have it in their IEP not be allowed to take it?

These are just some of the questions I have and I need to know what to do to make sure the MOD-HSA is available for until a replacement test is made available. Thanks, let me know when would be a good time to call you.

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High School Graduation Assessment Requirements

(chart indicates school years in which tests can be taken)

For students entering 9th grade in school year 2013-2014

The purpose of this chart is to show which of the offered assessments are those that are graduation requirements

School Year	Grade 9	Grade 10	Grade 11	Grade 12
2013-2014	<ul style="list-style-type: none"> HSA and Mod-HSA Algebra/Data Analysis HSA and Mod-HSA Biology HSA and Mod-HSA Government 	<ul style="list-style-type: none"> PARCC English 10 HSA and Mod-HSA Algebra/Data Analysis (Mod-HSA retake only) PARCC Algebra I* HSA and Mod-HSA Biology (Mod-HSA retake only) HSA and Mod-HSA Government (Mod-HSA retake only) 	<ul style="list-style-type: none"> PARCC English 10 PARCC Algebra I** HSA Biology HSA Government 	<ul style="list-style-type: none"> PARCC English 10
2014-2015		<ul style="list-style-type: none"> PARCC English 10 HSA and Mod-HSA Algebra/Data Analysis (Mod-HSA retake only) PARCC Algebra I* HSA and Mod-HSA Biology (Mod-HSA retake only) HSA and Mod-HSA Government (Mod-HSA retake only) 	<ul style="list-style-type: none"> PARCC English 10 PARCC Algebra I** HSA Biology HSA Government 	<ul style="list-style-type: none"> PARCC English 10
2015-2016		<ul style="list-style-type: none"> PARCC English 10 HSA and Mod-HSA Algebra/Data Analysis (Mod-HSA retake only) PARCC Algebra I* HSA and Mod-HSA Biology (Mod-HSA retake only) HSA and Mod-HSA Government (Mod-HSA retake only) 	<ul style="list-style-type: none"> PARCC English 10 PARCC Algebra I** HSA Biology HSA Government 	<ul style="list-style-type: none"> PARCC English 10
2016-2017		<ul style="list-style-type: none"> PARCC English 10 HSA and Mod-HSA Algebra/Data Analysis (Mod-HSA retake only) PARCC Algebra I* HSA and Mod-HSA Biology (Mod-HSA retake only) HSA and Mod-HSA Government (Mod-HSA retake only) 	<ul style="list-style-type: none"> PARCC English 10 PARCC Algebra I** HSA Biology HSA Government 	<ul style="list-style-type: none"> PARCC English 10

High School Assessments

For students entering 9th grade in school year 2013-2014

The purpose of this chart is to show what assessments are offered in each of the four high school years for these 1st time test-takers

School Year	Grade	Assessments
2013-2014	Grade 9	<ul style="list-style-type: none"> • HSA and Mod-HSA Algebra/Data Analysis • HSA and Mod-HSA Biology • HSA and Mod-HSA Government
2014-2015	Grade 10	<ul style="list-style-type: none"> • PARCC Algebra I (1st time offered in Algebra I) • PARCC Geometry • PARCC Algebra II* • PARCC English 10 • HSA Biology • HSA Government <p>*Determines College and Career Readiness (PARCC Algebra II)</p>
2015-2016	Grade 11	<ul style="list-style-type: none"> • PARCC Algebra I • PARCC Geometry • PARCC Algebra II* • PARCC English 11* • HSA Biology • HSA Government <p>*Determines College and Career Readiness (PARCC Algebra II and PARCC English 11)</p>
2016-2017	Grade 12	<ul style="list-style-type: none"> • PARCC Geometry • PARCC Algebra II* • HSA Biology • HSA Government <p>*Determines College and Career Readiness (PARCC Algebra II)</p>

Bridge Validation Program

For students entering 9th grade in school year 2013-2014

The purpose of this chart is to show at what point these students are eligible to participate in the Bridge Validation Process

