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State Superintendent of Schools

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TO: Members of the State Board of Education
FROM: Lillian M. Lowery, Ed.D. *Lillian M. Lowery*
DATE: March 28, 2013
SUBJECT: COMAR 13A.13.01 Provision of Early Intervention Services to Infants and Toddlers and Their Families (Repeal and Replace)
COMAR 13A.13.02 Administration of Services for Infants and Toddlers and Their Families (New)
ADOPTION

PURPOSE:

The purpose of this action is to request permission to adopt the proposed regulations that were published in the Maryland Register on January 11, 2013 and January 25, 2013. These regulations replace COMAR 13A.13.01, Early Intervention Services to Eligible Infants and Toddlers and Their Families, with an effective date of July 1, 2013.

HISTORICAL BACKGROUND:

Since submission of the proposed amendments to the State Board of Education on October 31, 2012, the Division of Special Education/Early Intervention Services (DSE/EIS) followed established procedures for promulgation of the regulations. The DSE/EIS disseminated information to local Infants and Toddlers Programs, local school system personnel, educational organizations, advocacy organizations, and the State Interagency Coordinating Council (SICC) announcing the tentative Maryland Register publication date and how the public should provide the Department with written comment. Proposed COMAR 13A.13.02, Administration of Services for Infants and Toddlers and Their Families, was published in the Maryland Register, Vol. 40, Issue 1, Friday, January 11, 2013, and proposed COMAR 13A.13.01, Provision of Early Intervention Services to Infants and Toddlers and Their Families was published in Vol. 40, Issue 2, Friday, January 25, 2013 (Attachment I). Personnel within the DSE/EIS conducted five public hearings across the State to solicit public input on the proposals after publication in the Maryland Register (Attachment II). The public hearings resulted in three (3) comments. Sixteen (16) comments were received via email and seven (7) were received via U. S. Mail. A total of 26 comments were received (Attachment III). The DSE/EIS, in consultation with the Office of the Attorney General, reviewed the comments to determine if revisions to the proposed regulations were necessary (Attachment IV).

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EXECUTIVE SUMMARY:

Adoption of COMAR 13A.13.01 and 13A.13.02 includes the new federal requirements, and makes technical and nonsubstantive revisions.

Attachment I	Maryland Register, Vol. 40, Issue 1, Friday, January 11, 2013
Attachment II	Maryland Register, Vol. 40, Issue 2, Friday, January 25, 2013
Attachment III	Action Step Timelines
Attachment IV	Copy of Comments
	Analysis of Comments

ACTION:

I request the State Board of Education to adopt COMAR 13A.13.01, Provision of Early Intervention Services to Infants and Toddlers and Their Families, and COMAR 13A.13.02, Administration of Services for Infants and Toddlers and Their Families. The tentative timeline is as follows:

ADOPTION:	March 28, 2013
EFFECTIVE DATE:	July 1, 2013

Attachments