

Introduced	<u>10/1/18</u>
Public Hearing	<u>10/15/18</u>
Council Action	<u>10/29/18</u>
Executive Action	_____
Effective Date	_____

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. **13**

Bill No. **73** -2018

Introduced by: The Chairperson

AN ACT amending Section 2 of Council Bill 46-2016 to correct for and accommodate an interpretation of the original legislation which did not reflect the Council's original intent.

Introduced and read first time October 1, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark
 Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on October 15 2018.

By order Jessica Feldmark
 Jessica Feldmark, Administrator

This Bill was read the third time on October 29 2018 and ~~Passed~~ Passed with amendments ~~Failed~~ withdrawn

By order Jessica Feldmark
 Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2018 at ___ a.m./p.m.

By order _____
 Jessica Feldmark, Administrator

Approved by the County Executive _____, 2018

 Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that Section 2. of*
2 *Council Bill 46-2016 is amended to strike “June 27, 2016” and substitute “July 1, 2017”.*

3

4 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that*
5 *this Act shall become effective 61 days after its enactment.*

6

7

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on October 29, 2018.



Jessica Feldmark, Administrator to the County Council

Amendment 1 to Council Bill 73-2018

BY: Mary Kay Sigaty

Legislative Day No: 14
Date: 10/29/18

Amendment No. 1

1 (This amendment would insert "Section 2" from Council Bill 46-2016 with the proposed July
2 1, 2017 date into the current bill to clarify the intent of the bill.)
3
4

5 On page 1, in line 2, strike the period and substitute the following:

6 "so that Section 2 reads:

7 Section 2. Be it further enacted by the County Council of Howard County,
8 Maryland, that the provisions of subsections 125.0.A.11, 131.0.O.1.B,
9 131.0.O.1.C, 131.0.O.1.D, 131.0.O.1.E, and the first sentence of 131.0.O.1.I as
10 enacted by Section 1 of this Act, shall not apply to a property for which any
11 Conditional Use application for a gasoline service station was filed or for which
12 any site development plan for a gasoline service station was submitted prior to
13 July 1, 2017."
14
15

APPROVED _____
FAILED Not introduced
SIGNATURE Jessica Feldman

Michelle Henry

PROFESSIONAL PROFILE

Legal Advocate with extensive litigation and courtroom experience. Expertise in family law and disability law, with special focus on special education. Experienced in probate, guardianship and conservatorship matters. Excellent client and project management skills. Action-oriented with strong ability to communicate effectively.

Program Manager with experience in human resources management. Experienced in policy development and performance management. Excellent written and oral skills.

SKILL HIGHLIGHTS

- Experienced in conducting legal research
- Knowledge of the Americans with Disabilities Act, the Individuals with Disabilities Education Act, the Rehabilitation Act and other legislation, including those regarding access to patient and mental health information.
- Experienced in interpreting federal and local laws and regulations.
- Experienced in working with service coordinators, special education and other school personnel, Developmental Disabilities Administration monitors and representatives from the Department of Health and Mental Health Services, the Rehabilitation Services Administration, the Child and Family Services Administration, service providers and community-based collaborative organizations.
- Experienced in assisting clients with disabilities to access housing, healthcare, training and educational opportunities.
- Adept at reviewing evaluations for diagnostic and treatment purposes.
- Skilled through training and experience at developing written individual plans.
- Experienced at preparing complaints on behalf of, and representing persons with disabilities to redress procedural and substantive violations.

CORE ACCOMPLISHMENTS

- Conducted new employee training and orientation
- Planned and organized in-service, ongoing employee training
- Conducted management trainings
- Interviewed, hired and trained staff
- Collaborated with employees, clients, public agency, other service providers, to ensure the delivery of efficient, high-quality services
- Wrote and edited documents to keep staff informed on policies and procedures
- Collaborated with management team on the development of consistent management practices
- Created departmental procedures manual
- Assessed organizational training needs
- In-depth knowledge of legal proceedings, brief and motion preparation and conducting client assessments

PROFESSIONAL EXPERIENCE

10/2013 - Present

Howard County, MD ADA Coordinator

Responsibility includes coordinating the efforts of the county government to ensure compliance with Title II of the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973. Investigate complaints of alleged violations of the ADA. Recommend resolutions to grievances. Maintain correspondence and documentation of the compliance procedure. Assist county employees and members of the public with questions and concerns about disability discrimination. Serve as Executive Secretary to the Commission on Disability Issues (CDI) and as a member of the CDI's Access and Provider Committees and other boards, commissions and councils as required. Collect and maintain ADA regulations and supplementary materials. Conduct self-evaluations of the programmatic barriers in services offered by the local government. Work with staff and administrative leaders to write long-range ADA plan and ensure implementation of the plan's goals. Obtain price quotes for special purchases of services, equipment, materials, or supplies for implementing reasonable accommodation or public access. Develop and maintain good working relations with people with disabilities as well as organizations representing people with disabilities. Provide disability sensitivity training to staff. Provide technical information and advice to staff, peers, and management. Coordinate plans for designated special events so that accessibility to events is barrier free.

04/2013 - 10/2013

Washington, D.C.

Attorney

Provided legal services to students with disabilities and their parents. Participated in Section 504, eligibility determination and Individual Education Plan (IEP) meetings. Developed IEP goals and objectives. Monitored student progress with regard to goals and objectives. Requested evaluations and IEP and 504 Plan modifications and accommodations as necessary. Conducted case analyses to determine merit and identify legal issues. Reviewed documents for compliance with applicable state and federal regulations and laws. Conducted classroom observations. Prepared pleadings for court and administrative hearings. Prepared court reports and legal correspondence. Conducted discovery. Interviewed witnesses in preparation for trial. Prepared briefs for legal arguments. Represented clients in court, at administrative hearings, and resolution and mediation sessions. Supervised a small support staff.

05/2003

Family Court, Superior Court of the District of Columbia, Washington, DC

Presenter

The Role of the Special Education Advocate and Understanding the Special Education Process.

03/2001 - 04/2003

Murrell & Brown, Washington, D.C.

Attorney

Represented clients in guardianship and conservatorships matters. Served as administrator of client estates. Preserved assets and expended funds in a manner consistent with the client's interests. Ensured that the client's needs were met. Conducted regular visits and met with providers. Prepared inventories and filed annual guardianship and conservatorship reports and accountings to the court. Worked closely with teams to identify specific needs of students with disabilities. Reviewed evaluation data and student special education and cumulative files for compliance. Participated in the development of educational plans. Worked in collaboration with schools team to ensure compliance with local and federal law and regulations. Monitored student progress. Conducted pre-trial conferences with witnesses. Prepared pleadings and pre- and post-hearing briefs. Prepared and reviewed documents for trial. Prepared complaints, motions, orders and court reports. Conducted legal research. Supervised junior attorneys and support staff. Represented clients at due process hearings.

04/2003 **The Counsel for Child Abuse and Neglect, Superior Court of the District of Columbia, Washington, D.C.**
Mentoring Attorney
 Served as Attorney Mentor to newly empaneled attorneys. Reviewed and provided feedback regarding legal issues, strategies and attorney's writings; provided shadowing opportunities.

03/1996 - 02/2001 **Employment Law Trainer/Attorney, Washington, D.C.**
 Developed employment law curriculum. Provided management training in consistent management practices, discrimination, including disability, age, sex, race, and religion. Represented clients in family law and unfair dismissal matters.

08/1992 - 02/1996 **R & D Inc. (now Spectrum), Baltimore, MD**
Program Director for Supported Employment Program for Adults with Disabilities
 Provided training on site to employees and management staff. Developed curriculum for in-service training. Developed process for, and implemented employee evaluations and disciplinary procedures. Advised executive director and managers on organizational policy matters and recommended needed changes. Kept track of company inventory. Directed personnel training activities. Resolved staffing issues and disputes. Responsible for identifying staff vacancies, recruitment, interviewing prospective employees and hiring. Chaired the committee on sexual harassment. Served as the organization's contact person for worker's compensation claims and EEOC matters. Handled employee questions, interpreted policy and procedure and helped resolve work-related problems. Assigned tasks to employees, staffed projects, tracked progress and updated Executive Director regularly and as necessary. Analyzed company documents for appropriate distribution and filing. Investigated workplace injuries and prepared OSHA reports. Reviewed and provided comments on the adequacy of records and took necessary steps to cure deficiencies.

EDUCATION

1992 **Howard University School of Law, Washington, D.C.**
 Law
Masters in Comparative Jurisprudence
 Deans List, fall 1990 - spring 1992

1989 **University of the West Indies, Cave Hill Barbados**
 Law
 Bachelors
 With Honors

TRAININGS

- **October 2013** **Maryland Association of Human Relations/Rights Agencies--Disability and Housing, Maryland Disability Law Center**
- **March 2013** **Bar Association of D.C. -- The Law of Evidence. Addressing the Needs of Intellectually Challenged Students. A Lawyer's Guide to Child Development. Examining Witnesses. Understanding Psychological Evaluations. Ethics. Case Law Update in Special Education.**
- **March 2012** **Bar Association of D.C. -- Psychotropic Medication for Children. Special Education Federal Litigation. Lawyers Counseling Child Clients. Evidence. Ethics. Special Education-Child Find.**
- **November 2011** **Public Defender Service, D.C. -- School Transition Services for Committed Youth.**
- **March 2011** **Bar Association of D.C. -- Running a Law Office in a Technological Age. Ethics. Defending Requests for Long-Term Suspensions and Expulsions. Due Process Hearings. Working with Difficult Clients.**
- **February 2011** **Washington College of Law, American University --Current Issues in Special Education Advocacy.**
- **December 2010** **The Advocacy Institute -- The Individuals with Disabilities Education Act at 35: What Advocates Need to Know and Do.**
- **October 2010** **Superior Court of the District of Columbia, Family Court Multidisciplinary Training Institute -- Child Sexual Abuse and Exploitation. Educating, Empowering and Transforming Lives.**
- **May 2010** **The Advocacy Institute -- Ins and Outs of Compensatory Education for Students with Disabilities.**
- **March 2010** **Bar Association of D.C. -- Mental Health Evidence. School Stability: Federal and Local Laws. Confronting Eyewitness Testimony. Representing Clients with Severe Disabilities. Depositions. GAL Ethical Dilemmas.**
- **September 2009** **Family Court, Superior Court of the District of Columbia -- Advanced Ethics in**

- Special Education Law.
- **July 2009** Family Court, Superior Court of D.C. – Educational Surrogacy.
- **May 2009** Family Court, Superior Court of the District of Columbia – Advanced Litigation for Special Education Attorneys–Federal Court Practice.
- **March 2009** Bar Association of D.C. – Trial Theory and Cross-Examination in Sex Cases. Defining the Role of the Special Education Attorney. Brain Development and Communication with Children. Mental Health Evaluations. Effective and Strategic Discovery.
- **March 2008** Bar Association of D.C. – Residential Treatment. Special Education Issues for Guardians *Ad Litem*. Getting, Interpreting and Using Medical and Mental Health Records. Disability Rights.
- **October 2007** Public Defender Service of D.C. – Special Education in Family Court. The District of Columbia Public Schools' Structure. Ensuring Clients Receive a Free and Appropriate Public Education. Due Process Hearings: Administrative Practice. School Discipline. Interagency/Inter-jurisdictional Coordination in Special Education. Special Education Ethics and Conflicts.
- **October 2006** The District of Columbia Bar – Effective Writing for Lawyers.
- **September 2006** Superior Court of the District of Columbia – Child Protection Mediation Training.
- **August 2006** Wrightslaw – Special Education Law and Advocacy Training.
- **July 2006** American Bar Association – Interviewing and Counseling the Child Client.
- **March 2005** Neglect Practice Institute – Child and Family Services Agency's Resources for Disabled Individuals. Show Cause Motions and Contempt Hearings.

OTHER PROFESSIONAL TRAININGS

- **1995** The Professional Development Institute – A Comprehensive Review of Maryland Employment and Labor Law.
- **1994** Loyola College, Baltimore, Maryland – Conflict Management and Negotiation Skills.
- **1994** Loyola College, Baltimore, Maryland – Managing Information Systems.

PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS

- Member of the District of Columbia Bar, Washington, D.C.
- Executive Secretary, the Commission on Disability Issues, Citizen Services, Howard County
- Member, Family Trial Lawyers Association of the District of Columbia, Washington, D.C.
- Special Education Attorney Panelist, Superior Court of the District of Columbia, Washington, D.C.
- Guardian *Ad Litem* Panelist, Superior Court of the District of Columbia, Washington, D.C.
- Parents' Attorney Panelist, Superior Court of the District of Columbia, Washington, D.C.