

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD	
		Date Filed with Division of State Documents	
		Document Number	
		Date of Publication in MD Register	

1. Desired date of publication in Maryland Register: 4/10/2020

2. COMAR Codification

Title Subtitle Chapter Regulation

13A 02 02 03 and .04

3. Name of Promulgating Authority

Maryland State Department of Education

4. Name of Regulations Coordinator Telephone Number

Charlene L Necessary 410-767-0467

Mailing Address

200 W. Baltimore Street

City State Zip Code
Baltimore MD 21201

Email

charlene.necessary@maryland.gov

5. Name of Person to Call About this Document Telephone No.

Mary L. Gable 410-767-0472

Email Address

mary.gable@maryland.gov

Article, §3-302(c), Annotated Code of Maryland.

X- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Elliott L. Schoen, Assistant Attorney General, (telephone #410-576-6465) on February 22, 2020. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Karen B. Salmon, Ph.D.

Title

State Superintendent of Schools

Telephone No.

410-767-0467

Date

February 24, 2020

Title 13A

A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

13A.02.02 Emergency Plans

Authority: Education Article, §§2-205, 7-435, and 8-702, Annotated Code of Maryland;
Federal Statutory Reference: 20 U.S.C. 7114 and 20 U.S.C. 7118

Notice of Proposed Action

□

The Maryland State Board of Education proposes to amend Regulations .03 and .04 under COMAR 13A.02.02 Emergency Plans.

This action was considered by the State Board of Education at their meeting held on January 28, 2020.

Statement of Purpose

The purpose of this action is to update the Emergency Planning Guidelines for Local School Systems and Schools.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:
The Emergency Planning Guidelines for Local School Systems and Schools (December 2019) includes guidelines for the evacuation of some students or adults who may have disabilities. The Guidelines create measures to ensure the safety of all in the event of an emergency.

Opportunity for Public Comment

Comments may be sent to Mary L. Gable, Asst. State Superintendent, Division of Student Support, Academic Enrichment, and Educational Policy, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-0472 TTY: 410-333-6442, or email to mary.gable@maryland.gov, or fax to 410-333-8148. Comments will be accepted through May 11, 2020. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on May 27, 2020, 9:00 am, at 200 West Baltimore Street, Baltimore, MD 21201.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2020

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

State and local education funds support the Emergency Planning Guidelines.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

The regulation includes procedures and guidance that should be included in local school system policy to maintain the safety of students and adults in the event of an emergency.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The regulation includes procedures and guidance that should be included in local school system policy to maintain the safety of students and adults in the event of an emergency.

G. Small Business Worksheet:

Attached Document:

.03 Incorporation by Reference.

The Maryland State Department of Education Emergency Planning Guidelines for Local School Systems and Schools [(October 2017)] (*December 2019*) is incorporated by reference.

.04 Emergency Plan.

A. In consultation with other health and safety officials in the local community, each local school system and the SEED School shall develop an emergency plan for all public school grounds to include maintenance, transportation, and central administration office under its jurisdiction that:

(1)—(2) (text unchanged)

(3) Aligns with the Maryland State Department of Education Emergency Planning Guidelines for Local School Systems and Schools [(October 2017)](*December 2019*).

B. Each local school system and the SEED School shall ensure that:

(1) Each school facility under its jurisdiction has a school emergency plan that is aligned with the criteria outlined in the MSDE Emergency Planning Guidelines for Local School Systems and Schools [(October 2017)] (*December 2019*) and that a copy of each school emergency plan is on file at the central administration office.

(2) A central administration emergency plan that is aligned with the criteria outlined in the MSDE Emergency Planning Guidelines for Local School Systems and Schools [(October 2017)] (*December 2019*) is on file in each school grounds under its jurisdiction.

C. (text unchanged)

Incorporation by Reference
APPROVAL FORM

Date: February 21, 2020
COMAR: 13A.02.02.03

Charlene Necessary
Maryland State Department of Education
200 West Baltimore Street, 7th Floor
Baltimore, MD 21201

Dear Charlene:

The document entitled Emergency Planning Guidelines for Local School Systems and Schools (December 2019), is approved for incorporation by reference.

Please note the following special instructions: None.

Attach a copy of this approval form when submitting an emergency or proposed regulation to the AELR Committee and when submitting a proposed regulation to DSD for publication in the Maryland Register. If submitting through ELF, include as part of the attachment.

Any future changes to the incorporated documents do not automatically become part of the regulation. If there are subsequent changes to the incorporated documents, and the agency wishes those changes to become a part of its regulations, the agency must amend the regulation incorporating the documents.

Please call us if you have any questions.

Sincerely,
Gail S. Klakring
Administrator