

Chapter 434

(House Bill 83)

AN ACT concerning

**Public and Nonpublic Schools – Electric Retractable Room Partitions –
~~Operation Requirements Review and Report~~ *Operation Requirements***

FOR the purpose of ~~prohibiting public and nonpublic school employees from operating an electric retractable room partition in a school except under certain circumstances; requiring any annual safety review, evaluation, or exercise for school employees in a certain school building to include certain information and demonstrations; requiring the State Department of Education to develop and disseminate model safety guidelines on the safe operation of electric retractable room partitions; requiring the Department to publish model safety guidelines on its public website; defining certain terms; requiring the State Department of Education to conduct a thorough review and evaluation of certain matters relating to the operation of electric retractable room partitions; requiring the Department to adopt certain regulations or guidelines on or before a certain date under certain circumstances; requiring the Department to report to the Governor and the General Assembly on or before a certain date on its review and actions;~~ *prohibiting public and nonpublic school employees from operating an electric retractable room partition in a school except under certain circumstances; requiring any annual safety review, evaluation, or exercise for school employees in a certain school building to include certain information and demonstrations; requiring the State Department of Education to develop and disseminate model safety guidelines on the safe operation of electric retractable room partitions; requiring the Department to publish model safety guidelines on its public website; defining certain terms;* and generally relating to electric retractable room partitions and schools.

BY adding toArticle – EducationSection 7-447Annotated Code of Maryland(2018 Replacement Volume and 2020 Supplement)~~BY adding to~~~~Article – Education~~~~Section 7-447~~~~Annotated Code of Maryland~~~~(2018 Replacement Volume and 2020 Supplement)~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:~~

~~**Article – Education**~~

~~7-447.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "ELECTRIC RETRACTABLE ROOM PARTITION" MEANS A ROOM PARTITION, DIVIDER, CURTAIN, OR ANY OTHER SIMILAR DEVICE THAT IS OPENED AND RETRACTED BY OPERATION OF AN ELECTRIC MOTOR.~~

~~(3) "SCHOOL EMPLOYEE" MEANS AN EMPLOYEE OF A PUBLIC SCHOOL OR NONPUBLIC SCHOOL.~~

~~(B) A SCHOOL EMPLOYEE MAY NOT OPERATE AN ELECTRIC RETRACTABLE ROOM PARTITION IN A SCHOOL BUILDING UNLESS:~~

~~(1) THE PARTITION INCLUDES A SAFETY SENSOR THAT AUTOMATICALLY STOPS THE MOVEMENT OF THE PARTITION WHEN A BODY PASSES BETWEEN THE LEADING EDGE AND A WALL, AN OPPOSING PARTITION, OR THE STACKING AREA OF THE PARTITION;~~

~~(2) NO STUDENTS ARE PRESENT IN THE SCHOOL BUILDING; OR~~

~~(3) THE ROOM OR AREA WHERE THE PARTITION IS LOCATED IS LOCKED OR OTHERWISE FREE OF OR INACCESSIBLE TO STUDENTS.~~

~~(C) ANY ANNUAL SAFETY REVIEW, EVALUATION, OR EXERCISE FOR SCHOOL EMPLOYEES IN A SCHOOL BUILDING WITH AN ELECTRIC RETRACTABLE ROOM PARTITION SHALL INCLUDE INFORMATION AND DEMONSTRATIONS, AS APPROPRIATE, REGARDING THE SAFE OPERATION OF THE ELECTRIC RETRACTABLE ROOM PARTITION IN ACCORDANCE WITH SUBSECTIONS (B) AND (D) OF THIS SECTION.~~

~~(D) THE DEPARTMENT SHALL:~~

~~(1) DEVELOP AND DISSEMINATE TO EACH COUNTY BOARD AND EACH NONPUBLIC SCHOOL MODEL SAFETY GUIDELINES REGARDING THE OPERATION OF ELECTRIC RETRACTABLE ROOM PARTITIONS; AND~~

~~(2) PUBLISH THE MODEL SAFETY GUIDELINES ON ITS PUBLIC WEBSITE.~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND:~~

~~That:~~

~~(a) The State Department of Education shall conduct a thorough review and evaluation of:~~

~~(1) the current electric retractable room partition equipment used in public and nonpublic schools throughout the State;~~

~~(2) the current practices used by staff in public and nonpublic schools throughout the State when operating electric retractable room partitions; and~~

~~(3) existing policies by public schools, local school systems, and nonpublic schools that govern the operation of electric retractable room partitions.~~

~~(b) On or before September 1, 2022, after conducting its thorough examination and review, the State Department of Education shall adopt any regulations or guidelines needed to ensure that the operation of electric retractable room partitions in public and nonpublic schools occur in the safest manner possible.~~

~~(c) On or before December 1, 2022, the State Department of Education shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on its review and any actions taken under this Act.~~

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(B) A SCHOOL EMPLOYEE MAY NOT OPERATE AN ELECTRIC RETRACTABLE ROOM PARTITION IN A SCHOOL BUILDING UNLESS:

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STACKING AREA OF THE PARTITION;

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(3) THE ROOM OR AREA WHERE THE PARTITION IS LOCATED IS LOCKED OR OTHERWISE FREE OF OR INACCESSIBLE TO STUDENTS.

(C) ANY ANNUAL SAFETY REVIEW, EVALUATION, OR EXERCISE FOR SCHOOL EMPLOYEES IN A SCHOOL BUILDING WITH AN ELECTRIC RETRACTABLE ROOM PARTITION SHALL INCLUDE INFORMATION AND DEMONSTRATIONS, AS APPROPRIATE, REGARDING THE SAFE OPERATION OF THE ELECTRIC RETRACTABLE ROOM PARTITION IN ACCORDANCE WITH SUBSECTIONS (B) AND (D) OF THIS SECTION.

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(2) PUBLISH THE MODEL SAFETY GUIDELINES ON ITS PUBLIC WEBSITE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.