

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 851 (Senator Zucker, *et al.*)
Education, Energy, and the Environment

**Public Schools - Individuals With Disabilities - Main Entrance Accessibility and
Emergency Planning**

This bill requires each local board of education, by September 1 of each year, to publish on its website and report to the General Assembly on the number of main entrances to public school buildings in the county that are not accessible for individuals with disabilities and not in compliance with the federal Americans with Disabilities Act (ADA). Each local school system must annually, by September 1, send a copy of its emergency plan to the Maryland State Department of Education (MSDE). By December 1 of each year, MSDE must analyze the emergency plans and report to the General Assembly on whether each local school system complies with MSDE's guidelines and regulations related to emergency planning for local school systems. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: MSDE, in collaboration with the Maryland Center for School Safety (MCSS), can likely meet the bill's requirements with existing resources. No effect on revenues.

Local Effect: Local school system expenditures may increase, likely minimally, to assess public school buildings for ADA compliance, particularly in FY 2026. No effect on revenues.

Small Business Effect: Minimal.

Analysis

Current Law: By December 1, 2017, MSDE was required, in consultation with disability advocacy groups, to update the Emergency Planning Guidelines for Local School Systems and Schools to accommodate, safeguard, and evacuate students, staff, and visitors with disabilities on public school grounds in accordance with ADA. By July 1, 2018, each local school system was required to update the local school system's emergency plan to comply with the update of MSDE's guidelines and regulations. If a student with an individualized education program (IEP) requires specific accommodations for evacuation in an emergency, the student's IEP must include accommodations for the student during an emergency. If a student with a 504 plan requires specific accommodations for evacuation in an emergency, the student's 504 team must discuss and address the student's needs, as necessary.

Each local superintendent of schools and the head of the SEED School must annually certify to the State Superintendent that the requirements related to emergency plans are being implemented, and send a copy of the local school system's central administration emergency plan to the State Superintendent of Schools, if updated from the previous year.

Each local school system must regularly update the school emergency plan for each public school to (1) include detailed plans regarding how each public school will address behavioral threats, emergency events, and accommodations for students with disabilities in emergency events; (2) conform with the Emergency Planning Guidelines; and (3) incorporate any required changes. Each local school system must annually submit a report to MCSS that includes, for the immediately preceding school year (1) aggregate data about threats made against any school or school system facility; (2) information about any school lockdowns, evacuations, or other emergency responses that occurred; (3) incidents in which a public school's emergency plan failed in part or in whole to function as anticipated in an emergency or an emergency drill; and (4) school hours spent in an emergency or an emergency drill. Each local school system must also, in consultation with the center, update each emergency plan to correct identified weaknesses.

Building Accessibility Requirements

Public schools in Maryland must meet the ADA Standards for Accessible Design, much of which is covered in [Chapter Four](#) of the Guide to the ADA Accessibility Standards, as well as State regulations to the extent they are more stringent than ADA requirements. ADA standards cover, among other things, accessible routes to doors, placement of entry controls, door height and width, and door hardware.

State Fiscal Effect: MSDE advises that due to a lack of staff capacity, it requires \$7,500 annually for contractual services to collect school system plans and develop review

and evaluation tools to facilitate the analysis required by the bill. However, MCSS advises that MSDE may defer the emergency plan collection, analysis, and reporting requirements in the bill to MCSS, which can handle the bill's requirements with existing resources. Therefore, this analysis assumes that combined, MSDE and MCSS have the capacity to meet the bill's requirements with existing resources.

Local Fiscal Effect: Local school system expenditures may increase to assess public school buildings for ADA compliance. Although the bill requires an annual report on the number of main entrances to public school buildings in the county that are not accessible for individuals with disabilities and not in compliance with ADA, it is assumed that the assessment of buildings in fiscal 2026 will be most intensive, and assessments in future years can make use of fiscal 2026 findings.

The bill does not alter federal or State law regarding accessibility of school buildings. Therefore, even though the bill may reveal the extent of any noncompliance, this analysis assumes that the bill itself does not increase costs related to compliance with current law regarding accessibility of school buildings.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 694 (Delegate Kaufman, *et al.*) - Ways and Means.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Maryland Center for School Safety; Interagency Commission on School Construction; Maryland State Department of Education; Department of Legislative Services

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