

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 694

Ways and Means

(Delegate Kaufman, *et al.*)

Education, Energy, and the Environment

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

This bill requires each local school system to, as a component of required regular safety evaluations of each public school, identify and, if necessary, develop solutions for issues of building accessibility for individuals with disabilities. The bill also requires each local school system to, as a component of required annual reports to the Maryland Center for School Safety (MCSS), include instances in which a public school facility became inaccessible for a student with a disability in a manner that could impede evacuation or an emergency response. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: MCSS can likely meet the bill's requirements with existing resources. No effect on revenues.

Local Effect: The bill's changes to safety inspection and reporting requirements are not expected to materially affect local school system finances, as discussed below. No effect on revenues.

Small Business Effect: Minimal.

Analysis

Current Law: Under Chapter 30 of 2018, the Maryland Safe to Learn Act, each local school system, by June 15, 2019, and regularly thereafter, must conduct a safety evaluation of each public school under its jurisdiction. The purposes of the evaluations are to (1) identify and, if necessary, develop solutions for physical safety concerns, including

issues with building security and (2) identify and evaluate any patterns of safety concerns on school property or at school-sponsored events.

By December 1, 2017, the Maryland State Department of Education (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 the federal Americans with Disabilities Act (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.

Local Fiscal Effect: The bill does not alter federal or State law regarding accessibility of school buildings. Therefore, even though the expanded safety inspections required by the bill may reveal the extent of any accessibility issues, including noncompliance with ADA or State law, and require local school systems to develop solutions to those deficiencies, this analysis assumes that the bill itself does not increase costs related to compliance with current law regarding accessibility of school buildings. Local school systems can include the required information in annual reports to MCSS with existing resources.

Additional Information

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

Designated Cross File: SB 851 (Senator Zucker, *et al.*) - Education, Energy, and the Environment.

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

Fiscal Note History: First Reader - February 21, 2025
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Third Reader - March 19, 2025
Revised - Amendment(s) - March 19, 2025

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