

Chapter 768

(House Bill 854)

AN ACT concerning

School Construction – Nonpublic Special Education School Renovation Program – Established

FOR the purpose of establishing the Nonpublic Special Education School Renovation Program in the Interagency Commission on School Construction to provide grant funding to certain nonpublic special education schools for certain renovations and improvements; and generally relating to the Nonpublic Special Education School Renovation Program.

BY adding to

Article – Education

Section 5–331

Annotated Code of Maryland

(2025 Replacement Volume and 2025 Supplement)

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

Article – Education

5–331.

(A) IN THIS SECTION, “PROGRAM” MEANS THE NONPUBLIC SPECIAL EDUCATION SCHOOL RENOVATION PROGRAM.

(B) (1) THERE IS A NONPUBLIC SPECIAL EDUCATION SCHOOL RENOVATION PROGRAM.

(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO NONPUBLIC SPECIAL EDUCATION SCHOOLS FOR:

(I) RENOVATIONS AND IMPROVEMENTS TO CLASSROOMS AND SCHOOL FACILITIES;

(II) UPGRADES TO RESIDENTIAL COTTAGES ON SCHOOL GROUNDS THAT WILL IMPROVE STUDENT TREATMENT AND SAFETY;

(III) HEALTH, SAFETY, AND ACCESSIBILITY IMPROVEMENTS;

(IV) INFRASTRUCTURE MODERNIZATION AND TECHNOLOGY UPGRADES; AND

(V) NEW CONSTRUCTION NECESSARY TO COMPLY WITH STANDARDS SET BY THE DEPARTMENT.

(C) THE PROGRAM SHALL BE IMPLEMENTED AND ADMINISTERED BY THE INTERAGENCY COMMISSION.

(D) (1) AN ELIGIBLE NONPUBLIC SPECIAL EDUCATION SCHOOL MAY APPLY TO THE INTERAGENCY COMMISSION TO RECEIVE A GRANT UNDER THE PROGRAM.

(2) A NONPUBLIC SPECIAL EDUCATION SCHOOL IS ELIGIBLE FOR THE PROGRAM IF THE SCHOOL:

~~(I) OPERATES IN CONJUNCTION WITH A RESIDENTIAL TREATMENT CENTER THAT IS LICENSED BY THE MARYLAND DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, OR THE DEPARTMENT OF JUVENILE SERVICES;~~

~~(H)~~ (I) PROVIDES:

1. HIGH SCHOOL CREDIT TOWARDS THE HIGH SCHOOL GRADUATION REQUIREMENTS APPROVED BY THE DEPARTMENT; OR

2. A CURRICULUM AND EDUCATIONAL PROGRAM FOR ELEMENTARY OR MIDDLE SCHOOL STUDENTS THAT IS APPROVED BY THE DEPARTMENT; AND

~~(HH)~~ (II) PROVIDES SERVICES FOR STUDENTS PLACED IN NONPUBLIC EDUCATIONAL PROGRAMS UNDER § 8-406 OF THIS ARTICLE.

(E) THE INTERAGENCY COMMISSION MAY PRIORITIZE APPLICATIONS FOR:

(1) PROJECTS ADDRESSING STUDENT HEALTH OR SAFETY CONCERNS;

(2) PROJECTS NECESSARY TO COMPLY WITH STANDARDS SET BY THE DEPARTMENT; AND

(3) NONPUBLIC SPECIAL EDUCATION SCHOOLS WITH A HIGH PERCENTAGE OF STUDENTS WHO ARE RESIDENTS OF THE STATE.

(F) ~~FOR EACH FISCAL YEAR, THE GOVERNOR MAY~~ IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE GOVERNOR INCLUDE IN THE ANNUAL CAPITAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$5,000,000 TO THE PROGRAM FOR EACH FISCAL YEAR.

(G) THE INTERAGENCY COMMISSION SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.

Approved by the Governor, May 26, 2026.