

# HOUSE BILL 1060

F1, J1, O4

6lr1584

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By: **Delegate Smith**

Introduced and read first time: February 9, 2026

Assigned to: Ways and Means and Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Schools – Petitions for Emergency Evaluation –**  
3 **Requirement for Tracking and Reporting and Study**

4 FOR the purpose of requiring the State Department of Education to develop and certain  
5 schools to implement a system to track and report certain petitions for emergency  
6 evaluations made during the school year; requiring county boards of education and  
7 certain schools to submit certain reports to the Department; requiring the  
8 Department to verify certain information; requiring the Department to convene a  
9 workgroup to study the use of petitions for emergency evaluations in school settings  
10 for certain purposes; and generally relating to tracking and reporting petitions for  
11 emergency evaluation in primary and secondary schools.

12 BY adding to  
13 Article – Education  
14 Section 7–455  
15 Annotated Code of Maryland  
16 (2025 Replacement Volume and 2025 Supplement)

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

19 **Article – Education**

20 **7–455.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
22 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “NONPUBLIC SCHOOL” MEANS A NONCOLLEGIATE EDUCATIONAL**  
2 **INSTITUTION THAT HOLDS A CERTIFICATE OF APPROVAL FROM THE STATE BOARD**  
3 **UNDER § 2-206(E) OF THIS ARTICLE.**

4           **(3) “PETITION FOR EMERGENCY EVALUATION” MEANS A PETITION**  
5 **MADE FOR THE EMERGENCY EVALUATION OF A STUDENT UNDER § 10-622 OF THE**  
6 **HEALTH – GENERAL ARTICLE.**

7           **(4) “SCHOOL” MEANS:**

8                   **(I) A PUBLIC ELEMENTARY OR SECONDARY SCHOOL;**

9                   **(II) A NONPUBLIC SCHOOL;**

10                  **(III) THE MARYLAND SCHOOL FOR THE BLIND;**

11                  **(IV) THE MARYLAND SCHOOL FOR THE DEAF; OR**

12                  **(V) THE SEED SCHOOL OF MARYLAND.**

13           **(B) (1) THE DEPARTMENT SHALL DEVELOP AND EACH SCHOOL SHALL**  
14 **IMPLEMENT A SYSTEM TO TRACK AND REPORT PETITIONS FOR EMERGENCY**  
15 **EVALUATIONS THAT ARE MADE DURING THE SCHOOL YEAR.**

16           **(2) THE TRACKING SYSTEM DEVELOPED UNDER PARAGRAPH (1) OF**  
17 **THIS SUBSECTION SHALL COLLECT INFORMATION ON:**

18                   **(I) EACH PETITION FOR EMERGENCY EVALUATION THAT IS**  
19 **MADE;**

20                   **(II) THE STUDENT’S:**

21                           **1. NAME;**

22                           **2. AGE;**

23                           **3. GENDER;**

24                           **4. RACE; AND**

25                           **5. ETHNICITY;**

1 (III) WHETHER THE STUDENT HAS AN INDIVIDUALIZED  
2 EDUCATION PROGRAM OR 504 PLAN AND, IF SO, ANY DISABILITIES THE STUDENT  
3 HAS;

4 (IV) THE NAME AND TITLE OF THE SCHOOL EMPLOYEE  
5 INITIATING THE PETITION FOR EMERGENCY EVALUATION;

6 (V) THE REASON FOR THE PETITION FOR EMERGENCY  
7 EVALUATION;

8 (VI) WHETHER HANDCUFFS WERE USED DURING THE CARRYING  
9 OUT OF THE PETITION FOR EMERGENCY EVALUATION; AND

10 (VII) IF, AS A RESULT OF THE PETITION FOR EMERGENCY  
11 EVALUATION, THE STUDENT:

- 12 1. WAS EVALUATED BY A HEALTH PROFESSIONAL;
- 13 2. WAS ADMITTED TO A HOSPITAL OR OTHER FACILITY;
- 14 3. WAS RELEASED FROM THE HOSPITAL OR OTHER  
15 FACILITY; OR
- 16 4. HAD ANY OTHER KNOWN RESULT OR OUTCOME.

17 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
18 EACH SCHOOL SHALL SUBMIT TO THE COUNTY BOARD:

19 (I) EACH PETITION FOR EMERGENCY EVALUATION REPORT  
20 WITHIN 30 DAYS AFTER A PETITION FOR EMERGENCY EVALUATION WAS  
21 DOCUMENTED UNDER SUBSECTION (B) OF THIS SECTION; OR

22 (II) A REPORT THAT COMPILES THE PETITION FOR EMERGENCY  
23 EVALUATION REPORTS COLLECTED BY THE SCHOOL OVER A 30-DAY PERIOD EACH  
24 MONTH.

25 (2) A NONPUBLIC SCHOOL, THE MARYLAND SCHOOL FOR THE BLIND,  
26 THE MARYLAND SCHOOL FOR THE DEAF, AND THE SEED SCHOOL OF MARYLAND  
27 SHALL SUBMIT THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS  
28 SUBSECTION TO THE DEPARTMENT.

29 (D) (1) ON OR BEFORE JANUARY 1, 2027, AND EACH JULY 1 AND  
30 JANUARY 1 THEREAFTER, EACH COUNTY BOARD SHALL SUBMIT TO THE

1 DEPARTMENT A COMPILATION REPORT ON THE PETITION FOR EMERGENCY  
2 EVALUATION REPORTS SUBMITTED UNDER SUBSECTION (C)(1) OF THIS SECTION.

3 (2) (I) THE DEPARTMENT SHALL VERIFY THE ACCURACY OF A  
4 REPORT FROM ANY SCHOOL THAT REPORTS NO PETITIONS FOR EMERGENCY  
5 EVALUATION UNDER THIS SECTION.

6 (II) IF THE DEPARTMENT IS UNABLE TO VERIFY THE ACCURACY  
7 OF A REPORT SUBMITTED BY A SCHOOL, THE DEPARTMENT SHALL MAKE  
8 RECOMMENDATIONS FOR IMPROVEMENTS IN DATA COLLECTION AT THE SCHOOL.

9 (E) (1) (I) ON OR BEFORE OCTOBER 1, 2027, AND EACH OCTOBER 1  
10 THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN  
11 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A REPORT  
12 SUMMARIZING THE DATA RECEIVED UNDER SUBSECTION (D) OF THIS SECTION FOR  
13 THE IMMEDIATELY PRECEDING SCHOOL YEAR AND ANY OTHER FINDINGS OR  
14 RECOMMENDATIONS FOR LEGISLATIVE ACTION.

15 (II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF  
16 THIS PARAGRAPH SHALL PROVIDE, IN ACCORDANCE WITH STATE AND FEDERAL  
17 PRIVACY LAWS, DATA DISAGGREGATED BY:

- 18 1. SCHOOL;
- 19 2. AGE OF STUDENT;
- 20 3. GENDER OF STUDENT;
- 21 4. RACE OF STUDENT;
- 22 5. ETHNICITY OF STUDENT;
- 23 6. ANY DISABILITY OF A STUDENT;
- 24 7. REASON FOR THE PETITION FOR EMERGENCY  
25 EVALUATION; AND
- 26 8. THE NUMBER OF TIMES HANDCUFFS WERE USED  
27 DURING THE PROCESS OF CARRYING OUT THE PETITION FOR EMERGENCY  
28 EVALUATION.

1           **(2) THE DEPARTMENT SHALL POST THE REPORT REQUIRED UNDER**  
2 **PARAGRAPH (1) OF THIS SUBSECTION ON ITS WEBSITE WITHIN 30 DAYS OF**  
3 **SUBMITTING THE REPORT TO THE GENERAL ASSEMBLY.**

4           **(F) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**  
5 **PROVISIONS OF THIS SECTION.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That:

7           (a) The State Department of Education shall convene a workgroup that includes:

8               (1) the State Superintendent of Schools, or the Superintendent's designee;

9               (2) a school social worker or school psychologist; and

10              (3) representatives of:

11                      (i) a county board of education;

12                      (ii) a statewide hospital association;

13                      (iii) a hospital-based emergency psychiatric services provider;

14                      (iv) law enforcement with experience in responding to mental health  
15 crises in school settings; and

16                      (v) a student or family advocacy organization.

17           (b) The purpose of the workgroup is to study the use of petitions for emergency  
18 evaluations involving students in school settings and to improve coordination, training, and  
19 policy related to school-based mental health crisis responses.

20           (c) The State Department of Education shall provide staff for the workgroup.

21           (d) A member of the workgroup:

22               (1) may not receive compensation as a member of the workgroup; but

23               (2) is entitled to reimbursement for expenses under the Standard State  
24 Travel Regulations, as provided in the State budget.

25           (e) The workgroup shall:

26               (1) examine the circumstances under which petitions for emergency  
27 evaluation are initiated in school settings;

1           (2) identify gaps in documentation, data continuity, and information  
2 sharing across education, health care, and public safety systems, including limitations  
3 created by State and federal privacy laws;

4           (3) evaluate school-based mental health crisis response practices and  
5 training;

6           (4) determine best practices to ensure petitions for emergency evaluation  
7 are used appropriately and consistently in school settings; and

8           (5) recommend statutory, regulatory, policy, and training improvements  
9 for the use of petitions for emergency evaluation in school settings.

10          (f) (1) The State Department of Education shall give the workgroup access to  
11 data collected under § 7-455 of the Education Article.

12           (2) Any data provided in accordance with paragraph (1) of this subsection  
13 may not include a student's name or personally identifiable information.

14          (g) (1) On or before December 1, 2027, the workgroup shall report its findings,  
15 identified data limitations, and recommendations to the General Assembly in accordance  
16 with § 2-1257 of the State Government Article.

17           (2) Data included in the report required under paragraph (1) of this  
18 subsection shall be anonymized to the extent possible consistent with the information's  
19 intended use and in a manner that complies with State and federal privacy laws.

20          SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2026. Section 2 of this Act shall remain effective for a period of 1 year and 6 months and,  
22 at the end of December 31, 2027, Section 2 of this Act, with no further action required by  
23 the General Assembly, shall be abrogated and of no further force and effect.