

SENATE BILL 863

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EMERGENCY BILL

6lr1237

CF HB 1013

By: **Senators A. Washington, Charles, and Muse**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County Special Education Service Delivery, Transparency, and**
3 **Accountability Act**

4 FOR the purpose of requiring the Prince George's County Board of Education and County
5 Superintendent, beginning in a certain school year, to include certain funds in their
6 annual budget to certain individuals hired as one-to-one student aides; requiring
7 the County Superintendent, or the County Superintendent's designee, to provide
8 certain quarterly updates to the county board and the State Department of
9 Education; requiring the County Superintendent to develop and offer certain
10 professional development training for employees who provide special education
11 services; requiring the State Department of Education to hire a third-party auditor
12 to conduct a certain audit of the Department of Special Education in Prince George's
13 County Public Schools for certain fiscal years; and generally relating to special
14 education and Prince George's County Public Schools.

15 BY repealing and reenacting, without amendments,

16 Article – Education

17 Section 4–401(a) and 4–402(a) and (b)(2)(iii) and (vi)

18 Annotated Code of Maryland

19 (2025 Replacement Volume and 2025 Supplement)

20 BY adding to

21 Article – Education

22 Section 4–406

23 Annotated Code of Maryland

24 (2025 Replacement Volume and 2025 Supplement)

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

27

Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-401.

2 (a) The purpose of the county board is to:

3 (1) Maintain throughout the county a reasonably uniform system of public
4 schools that is designed to provide quality education and equitable educational opportunity
5 for all children;

6 (2) Raise the level of academic achievement of the students in the Prince
7 George's County public school system; and

8 (3) Raise the level of engagement of the parents, students, and community
9 as a whole.

10 4-402.

11 (a) In addition to the other powers granted to, and duties imposed on, a county
12 superintendent under this article, the County Superintendent has the responsibilities and
13 powers set forth in this section.

14 (b) The County Superintendent shall be responsible for:

15 (2) Subject to the provisions of Title 6 of this article, and after a budget is
16 submitted by the county board and approved by the County Council at the beginning of
17 each fiscal year, the day-to-day management and oversight of the fiscal affairs of the
18 Prince George's County public school system, including the management of activities
19 related to:

20 (iii) Instructional salaries;

21 (vi) Special education;

22 4-406.

23 (A) **THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.**

24 (B) **BEGINNING IN THE 2027-2028 SCHOOL YEAR, THE PRINCE GEORGE'S
25 COUNTY BOARD AND COUNTY SUPERINTENDENT SHALL INCLUDE FUNDS IN THE
26 ANNUAL BUDGET TO PROVIDE EACH INDIVIDUAL EMPLOYED AS A ONE-TO-ONE
27 STUDENT AIDE FULL-TIME SALARY AND BENEFITS, INCLUDING HEALTH INSURANCE
28 AND OTHER FRINGE BENEFITS REGULARLY PROVIDED TO FULL-TIME EMPLOYEES,
29 UNDER THE SAME TERMS AND CONDITIONS EXTENDED TO OTHER EMPLOYEES OF
30 THE COUNTY SCHOOL SYSTEM.**

5 (2) THE QUARTERLY UPDATES REQUIRED UNDER PARAGRAPH (1) OF
6 THIS SUBSECTION SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING CONTENT:

7 (I) THE NUMBER OF STUDENTS IN THE COUNTY SCHOOL
8 SYSTEM WITH AN INDIVIDUALIZED EDUCATION PROGRAM THAT REQUIRE
9 ONE-TO-ONE STUDENT AIDES AND THE NUMBER OF STUDENTS IMPACTED;

10 (II) THE NUMBER AND PERCENTAGE OF STUDENTS OWED
11 COMPENSATORY SERVICES AND THE PERCENTAGE OF COMPENSATORY SERVICES
12 COMPLETED;

15 (IV) THE AVERAGE AND MAXIMUM DAYS THAT ONE-TO-ONE
16 STUDENT AIDE POSITIONS REMAIN UNFILLED; AND

17 (V) THE VACANCY AND TURNOVER RATES FOR ONE-TO-ONE
18 STUDENT AIDES.

25 (I) IEP SERVICE DELIVERY RATES:

(II) TIMELY FILING OF ONE-TO-ONE AIDE ASSIGNMENTS:

27 (III) COMPLETION OF COMPENSATORY SERVICES: AND

28 (IV) THE REDUCTION IN RECURRING COMPLAINTS AND DUE
29 PROCESS FILINGS.

30 (D) (1) (I) THE COUNTY SUPERINTENDENT SHALL DEVELOP AND
31 OFFER PROFESSIONAL DEVELOPMENT TRAINING IN SPECIAL EDUCATION SERVICES

1 TO COUNTY SCHOOL SYSTEM EMPLOYEES WHO PROVIDE SPECIAL EDUCATION
2 SERVICES.

3 (II) THE TRAINING DEVELOPED UNDER SUBPARAGRAPH (I) OF
4 THIS PARAGRAPH:

5 1. MAY BE OFFERED IN-PERSON OR VIRTUALLY AND
6 PROVIDED SYNCHRONOUSLY OR ASYNCHRONOUSLY; AND

7 2. SHALL BE OFFERED BY THE COUNTY SCHOOL SYSTEM
8 EACH QUARTER OF THE SCHOOL YEAR.

9 (2) BEGINNING IN THE 2027–2028 SCHOOL YEAR, EACH EMPLOYEE
10 WHO PROVIDES SPECIAL EDUCATION SERVICES IN THE COUNTY SCHOOL SYSTEM
11 SHALL COMPLETE AT LEAST ONE TRAINING OFFERED UNDER PARAGRAPH (1) OF
12 THIS SUBSECTION EACH SCHOOL YEAR.

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

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) “IDEA” means the federal Individuals with Disabilities Education Act.

16 (3) “IEP” means an individualized education program.

17 (b) The State Department of Education shall contract with a third-party auditor
18 to conduct an audit of the Department of Special Education in Prince George’s County
19 Public Schools for fiscal years 2021 through 2025.

20 (c) The audit required under subsection (b) of this section shall include
21 performance, compliance, and financial data regarding special education services provided
22 to students in the local school system under the supervision of the Department of Special
23 Education in Prince George’s County Public Schools that addresses:

24 (1) delivery of special education services and compliance with IDEA,
25 including:

26 (i) the number of students with an IEP requiring a one-to-one
27 student aide;

28 (ii) totals by month;

29 (iii) the assignment status;

30 (iv) the duration of unfilled assignments;

1 (v) coverage offered by substitutes; and

2 (vi) compensatory services required under IDEA due to missed or
3 insufficient services;

4 (2) complaints and due process filings involving students in the Prince
5 George's County public school system, including:

6 (i) a 5-year inventory of State complaints, local complaints,
7 mediation, and due process filings;

8 (ii) resolution timelines;

9 (iii) corrective actions taken; and

10 (iv) a list of schools and departments within the Prince George's
11 County public school system with recurring complaints and due process filings;

12 (3) staffing and workforce issues, including:

13 (i) vacancies and turnover rates;

14 (ii) the ratio of benefit-eligible aides versus temporary aides; and

15 (iii) training hours;

16 (4) finance and procurement issues, including:

17 (i) a 5-year trend of the special education budget and actual
18 spending;

19 (ii) lapses and underspending; and

20 (iii) the use of vacancies to balance budgets; and

21 (5) special education student outcomes, including:

22 (i) the impact of missed services on progress toward IEP goals;

23 (ii) graduation or alternate assessment participation rates;

24 (iii) chronic absenteeism rates; and

25 (iv) discipline for students with disabilities.

26 (d) (1) The third-party auditor shall have access to relevant files to carry out
27 this section.

6 (e) (1) The Prince George's County public school system shall designate a
7 compliance liaison to produce records within the timelines described in subsection (f) of this
8 section.

11 (i) shall be required to appear before the Prince George's County
12 Council and the Prince George's County Board of Education;

15 (iii) shall have mandatory corrective actions monitored by the State
16 Department of Education.

17 (f) (1) The third-party auditor shall submit various reports on the audit
18 required under subsection (c) of this section to the State Department of Education.

19 (2) The State Department of Education shall compile and distribute the
20 reports on the audit to:

21 (i) the Prince George's County Council;

22 (ii) the Prince George's County Executive;

23 (iii) the Prince George's County Board of Education;

24 (iv) the Prince George's County Superintendent of Schools; and

25 (v) in accordance with § 2-1257 of the State Government Article, the
26 General Assembly.

27 (3) The reports required under paragraph (1) of this subsection shall be
28 submitted as follows:

29 (i) on or before 90 days from the effective date of this Act, a baseline
30 report with compliance risks under IDEA and relevant State regulations, including
31 preliminary findings on special education aide assignments and missed services and
32 preliminary priority recommendations;

6 2. school-level and central-office findings; and

7 3. heatmaps that identify chronic noncompliance; and

12 1. quantifiable metrics;

13 2. a staffing plan;

3. a parent engagement plan, written in plain language with multilingual access, including IEP meeting supports; and

16 4. technology requirements and innovative solutions to
17 provide transparency on the progress, including centralized special education
18 services—tracking dashboards, automated vacancy alerts to IEP teams, and a parent portal
19 with multilingual access that displays special education services delivery compared to
20 student IEP goals.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
22 measure, is necessary for the immediate preservation of the public health or safety, has
23 been passed by a yea and nay vote supported by three-fifths of all the members elected to
24 each of the two Houses of the General Assembly, and shall take effect from the date it is
25 enacted. It shall remain effective for a period of 3 years from the date it is enacted and, at
26 the end of the 3-year period, this Act, with no further action required by the General
27 Assembly, shall be abrogated and of no further force and effect.