

# SENATE BILL 863

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EMERGENCY BILL

6lr1237  
CF HB 1013

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

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

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## 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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



4–401.

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

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

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

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

4–402.

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

(b) The County Superintendent shall be responsible for:

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

(iii) Instructional salaries;

(vi) Special education;

**4–406.**

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

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

1           **(C) (1) THE COUNTY SUPERINTENDENT, OR THE COUNTY**  
2 **SUPERINTENDENT'S DESIGNEE, SHALL PROVIDE QUARTERLY UPDATES ON SPECIAL**  
3 **EDUCATION IN THE COUNTY SCHOOL SYSTEM TO THE COUNTY BOARD AND THE**  
4 **DEPARTMENT FOR AT LEAST 24 MONTHS.**

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;**

13                   **(III) THE PERCENTAGE OF INDIVIDUALIZED SERVICE MINUTES**  
14 **FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS DELIVERED;**

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.**

19           **(3) AFTER 24 MONTHS, THE COUNTY SUPERINTENDENT OR THE**  
20 **COUNTY SUPERINTENDENT'S DESIGNEE MAY CEASE CONDUCTING QUARTERLY**  
21 **UPDATES UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE DEPARTMENT**  
22 **CERTIFIES SUSTAINED COMPLIANCE IN THE PROVISION OF SPECIAL EDUCATION**  
23 **SERVICES FOR AT LEAST 2 CONSECUTIVE QUARTERS USING OBJECTIVE**  
24 **PERFORMANCE THRESHOLDS, INCLUDING:**

25                   **(I) IEP SERVICE DELIVERY RATES;**

26                   **(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**

TO COUNTY SCHOOL SYSTEM EMPLOYEES WHO PROVIDE SPECIAL EDUCATION SERVICES.

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

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

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

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

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

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

(ii) totals by month;

(iii) the assignment status;

(iv) the duration of unfilled assignments;

(v) coverage offered by substitutes; and

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

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

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

(ii) resolution timelines;

(iii) corrective actions taken; and

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

(3) staffing and workforce issues, including:

(i) vacancies and turnover rates;

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

(iii) training hours;

(4) finance and procurement issues, including:

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

(ii) lapses and underspending; and

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

(5) special education student outcomes, including:

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

(ii) graduation or alternate assessment participation rates;

(iii) chronic absenteeism rates; and

(iv) discipline for students with disabilities.

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

(2) The State Department of Education and the Department of Special Education in Prince George's County Public Schools shall publish, in a prominent location on their respective websites, each report, corrective action and strategic plan, and quarterly update required under subsection (f)(3) of this section, subject to the requirements of the Public Information Act.

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

(2) If the Prince George's County public school system fails to comply with the records production requirements of paragraph (1) of this subsection, the school system:

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

(ii) may have funds withheld by the State Superintendent of Schools in accordance with §§ 2–303 and 5–205 of the Education Article; or

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

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

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

(i) the Prince George's County Council;

(ii) the Prince George's County Executive;

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

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

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

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

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

1 (ii) on or before 180 days from the effective date of this Act, a final  
2 comprehensive report of the information required under subsection (c) of this section that  
3 includes:

4 1. an analysis of special education services delivery, staffing,  
5 finance, procurement, and governance issues;

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

7 3. heatmaps that identify chronic noncompliance; and

8 (iii) on or before 30 days from the date of submission of the report  
9 under item (ii) of this paragraph, in consultation with the State Department of Education  
10 and the Prince George's County public school system, a corrective action and strategic plan  
11 with:

12 1. quantifiable metrics;

13 2. a staffing plan;

14 3. a parent engagement plan, written in plain language with  
15 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 ye 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.