



Senate Education, Energy, and the Environment

SB851: Public Schools – Individuals With Disabilities – Main Entrance Accessibility and Emergency Planning

March 5, 2025

Position: Support with Sponsor Amendments

The Arc Maryland is a statewide advocacy organization for people with intellectual and developmental disabilities. We work to protect and advance the rights of people with disabilities and to make it possible for people with developmental disabilities to live the lives they want with the support they need. As such, we support SB851 because we believe it will address equity and access to public school buildings that have been built with the use of federal funding.

This legislation aims to enhance the accessibility of public school buildings for individuals with disabilities and to ensure that local school systems are accountable to having effective emergency plans in place.

WHAT does this legislation do?

- Mandates that, or before September 1, 2025, and annually on each subsequent September 1, every county board of education in Maryland must:

1.) Publish on its website: The number of main entrances to public school buildings in the county that are **not** accessible to students with physical disabilities who use wheelchairs, **whether or not** there is at least one main entrance with an automatic door opening, and **whether or not** the entrances comply with the federal Americans with Disabilities Act (ADA). (Highlighted text is included in the Sponsor's proposed amendment)

2.) Make a report to the General Assembly: This report must detail the same information as published on the website, ensuring transparency and accountability regarding the accessibility of school entrances.

WHY is this legislation important?

Determining the exact number of schools in Maryland with inaccessible front doors for students in wheelchairs is challenging due to the lack of comprehensive statewide data.

A 2019 report by the Government Accountability Office (GAO) indicated that approximately two-thirds of U.S. public school districts have schools with physical barriers that may limit access for people with disabilities.¹

In Maryland, Montgomery County Public Schools (MCPS) conducted a self-evaluation of 198 facilities to assess compliance with the Americans with Disabilities Act (ADA). This assessment aimed to identify barriers to accessibility, including issues with entrances.²

While the Montgomery County data is valuable, we do not currently have a comprehensive statewide count of schools with inaccessible entrances. MPIA requests to schools to provide this information were met with mixed results: While some schools responded to our information request in part, others inferred that due to school safety standards, the information on accessible entrances could not be provided.

This legislation is needed so we may understand how great the issue may be for future planning, and as schools are built and remodeled, work in a plan for the creation of accessible entrances for students and others with physical disabilities, including those who use wheelchairs. Students with disabilities deserve to enter through the same main entrance as their nondisabled peers.

Another part of the bill requires each local school system to send a copy of the local school system's emergency plan to the State Department of Education. This is important as there appears to be very low compliance with the 2017 law that passed, requiring that each school update their emergency plans to address the needs of students and personnel with disabilities, to ensure they would be evacuated in the event of an emergency. As our Past President of the Board of The

¹ <https://www.gao.gov/assets/gao-20-448.pdf>

² <https://ww2.montgomeryschoolsmd.org/departments/facilities/ada/>

Arc Maryland found during a recent MPIA check, many schools lack detailed plans and equipment needed for the safe evacuation of students with disabilities. Some even remarked that their plan was to have the student shelter "in place": an unacceptable plan that was specifically the target of the 2017 legislation. This must change: schools must be held accountable for the sake of students and educators with disabilities.

The Arc Maryland urges a favorable report on SB851.

For additional information, please contact: Ande Kolp, Executive Director
akolp@thearcmd.org