

# **IL Written Testimony - SB 851 - Favorable.pdf**

Uploaded by: Chris Kelter

Position: FAV



**SB 851: Public Schools - Individuals With Disabilities –**

**Main Entrance Accessibility and Emergency Planning**

**Testimony of the Maryland Independent Living Network**

**SUPPORT – Favorable**

Senate Education, Energy and the Environment Committee, March 5, 2025

The Maryland Independent Living Network is a coalition of the Maryland Statewide Independent Living Council and the seven Maryland-based Centers for Independent Living (CIL). CILs are created by federal law. CILs work to enhance the civil rights and quality of services for people with disabilities. There are seven CILs located throughout Maryland, operated by and for people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals with disabilities in their communities.

SB 851 requires each county board of education, by September 1, 2025, and each September 1 thereafter, to publish on its website and report to the General Assembly on the number of main entrances to public school buildings in the county that are not accessible for individuals with disabilities and not in compliance with the Americans with Disabilities Act. Additionally, SB 851 requires each local school system to send a copy of the local school system's emergency plan to the State Department of Education.

SB 851 is a crucial piece of legislation that will significantly improve the safety and accessibility of our public schools for students, staff, and visitors with disabilities. Main entrance accessibility and emergency planning are essential for ensuring an inclusive and safe learning environment for everyone.

**Regarding Main Entrance Accessibility**

Currently, there is a lack of readily available information regarding the accessibility of main entrances in our public schools. This lack of transparency makes it difficult for families of children with disabilities to assess the suitability of a school for their child. Requiring county boards of education to publish and report on the number of non-compliant main entrances will:

- **Increase Transparency:** Families will have access to crucial information, allowing them to make informed decisions about their child's education.
- **Promote Accountability:** Publicly reporting these numbers will hold school systems accountable for ensuring accessibility and compliance with the Americans with Disabilities Act (ADA).
- **Drive Progress:** By highlighting areas of non-compliance, this legislation will incentivize school systems to prioritize accessibility improvements.

#### **Regarding Emergency Planning:**

Effective emergency planning is paramount for the safety of all students and staff, especially those with disabilities. SB 851 strengthens current emergency planning procedures by:

- **Ensuring Plan Submission:** Requiring local school systems to submit their emergency plans to the State Department of Education will facilitate oversight and ensure consistency with state guidelines.
- **Enabling Analysis and Reporting:** The Department's analysis and subsequent report to the General Assembly will provide valuable insights into the preparedness of our schools and identify areas for improvement. This data-driven approach will allow for more effective resource allocation and policy adjustments.
- **Focusing on Individual Needs:** The bill reinforces the importance of individualized accommodations for students with IEPs and 504 plans during emergencies, ensuring that their specific needs are addressed.

Every student deserves access to a safe and inclusive learning environment. SB 851 takes significant steps towards achieving this goal by promoting transparency, strengthening emergency preparedness, and prioritizing the needs of individuals with disabilities.

The Maryland Independent Living Network strongly **supports** SB 851 and requests a favorable report.

Thank you for your consideration of these comments.

#### **Contact Information:**

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# **Testimony in Support of SB0851.pdf**

Uploaded by: Dhruv Dobariya

Position: FAV

## **Testimony in Support of SB0851**

**Presented by Dhruv Dobariya**

**On Behalf of Illuminate Maryland**

**Maryland General Assembly – 03/05/2025**

Dear Senator Zucker, Vice Chair Boyce, and Members of the Committee,

My name is Dhruv Dobariya, a sophomore from River Hill High School, and I am proud to testify today on behalf of Illuminate Maryland, a student-led advocacy organization dedicated to equity, accessibility, and community well-being. We work to ensure that all Marylanders—especially youth—have a voice in shaping policies that affect their daily lives. Today, I urge you to support SB0851, a crucial bill that ensures Maryland’s public schools are both physically accessible and adequately prepared to support students with disabilities in emergency situations.

This issue is not just theoretical, it has real, lasting consequences for students and their families. I want to share a personal story that highlights the urgent need for this legislation.

A close friend of mine, Sanjay, is a student who uses a wheelchair due to a mobility impairment. Despite Maryland’s commitment to inclusion, the reality they faced in their own school was anything but accessible. Their school, built decades ago, had a main entrance without a ramp. Instead of entering with their peers, they were forced to use a side door, often left locked or obstructed, requiring them to wait for a staff member to let them in—making them late for class and separating them from the rest of their peers.

Beyond the daily indignity of being treated differently, the lack of accessibility posed a serious safety risk. During a school fire drill, the designated accessible exit was blocked by construction materials, and because emergency procedures had not accounted for students with disabilities, and he could’ve been left without immediate evacuation assistance. This was not just an inconvenience—it was dangerous. The message was clear: the school was not built for everyone.

SB0851 would ensure that situations like this never happen again.

By requiring schools to annually report their ADA compliance status, we ensure that inaccessibility issues are identified and addressed, rather than being ignored or dismissed as a low priority. Too often, issues like malfunctioning ramps, inaccessible doors, and unsafe conditions for students with disabilities go unreported for years. This bill ensures transparency and urgency in fixing these barriers.

Local school systems would be required to submit emergency plans to the Maryland State Department of Education (MSDE) to ensure compliance with accessibility regulations. No student should fear being left behind in a fire, lockdown, or other emergency simply because their school failed to plan for their needs.

Critics may argue that requiring schools to track and report on accessibility comes at a financial cost. However, this bill is not demanding new construction or large-scale renovations overnight—it is simply asking schools to assess, report, and plan. Identifying accessibility issues is the first step toward a safer, more inclusive education system.

No student should feel like an afterthought in their own school. SB0851 is not just about ramps, doors, or emergency plans—it is about dignity, safety, and equal access to education. Illuminate Maryland stands firmly in support of this legislation, and we urge the committee to issue a favorable report.

Thank you for your time and consideration.

Best regards,  
Dhruv Dobariya  
President | Illuminate Maryland  
dpdobariya0606@gmail.com  
240-761-0707

# **SB0851 Wheel Chair Emergency Exit.pdf**

Uploaded by: Dorothy Plantz

Position: FAV

**SB0851**

**Public Schools - Individuals with Disabilities - Main Entrance Accessibility and Emergency  
Planning  
EEE Committee  
Favorable**

District 12A  
Dorothy Plantz  
Community Advocate  
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[Dorothy.greenthumb@gmail.com](mailto:Dorothy.greenthumb@gmail.com)  
410 262-8458

Dear Honorable Brian Feldman, Chair and Cheryl Kagan, Vice-Chair and Committee Members:

Please vote in favor of **SB0851**. This data collection bill would require each County Board of Education to publish on its website and report to the General Assembly the number of public school entrances which are not wheelchair accessible and are not in compliance with the ADA. Also, each school system would need to share a copy of their emergency plan to the State Department of Education and other reports to the General Assembly.

If we believe that safe schools are important for **all** students, then all students must have a means to enter and leave school safely without injury and without damage to their chair. There also needs to be an emergency plan which is understandable and provides reasonable accommodation for all student to exit the building during an emergency. Solutions need to be data informed which would be provided through this bill.

Please support SB 0851.

Best,

Dorothy Plantz





# **2025 TCC SB 851 Senate Side.pdf**

Uploaded by: Jennifer Navabi

Position: FAV



**Committee:** Senate Education, Energy, and the Environment Committee

**Bill Number:** Senate Bill 851 – Public Schools - Individuals With Disabilities - Main Entrance Accessibility and Emergency Planning

**Hearing Date:** March 5, 2025

**Position:** Support

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The Coordinating Center supports *Senate Bill 851 – Public Schools - Individuals With Disabilities - Main Entrance Accessibility and Emergency Planning*. The bill requires public schools to report on plans to address the needs of students with disabilities during emergencies.

The Coordinating Center provides care coordination to nearly 10,000 Marylanders annually, including students enrolled in the Medicaid Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder (Autism Waiver), Maryland Developmental Disabilities Administration (DDA) Waiver and Wait List Services, the Rare and Expensive Case Management (REM) Program and other home and community-based service waivers and programs. Our goal is to support our clients in living as independently as possible within their own communities. We support this legislation because it provides for accountability of plans to keep students with disabilities safe in a school emergency.

Please vote favorably on this legislation. If we can provide any additional information that is helpful, please contact Robyn Elliott at [relliott@policypartners.net](mailto:relliott@policypartners.net).

# **eactestimony2025.SB851.pdf**

Uploaded by: Leslie Margolis

Position: FAV

# Education Advocacy Coalition

for Students with Disabilities

## **SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE**

### **SENATE BILL 851**

#### **Public Schools—Individuals with Disabilities—Main Entrance Accessibility and Emergency Planning**

**March 5, 2025**

#### **POSITION: SUPPORT**

The Education Advocacy Coalition for Students with Disabilities (EAC) is a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland. The EAC supports Senate Bill 851, which would require each county board of education to publish on its website and report to the Maryland General Assembly on the number of main entrances to public school buildings in the county that are not accessible for individuals who use wheelchairs and not in compliance with the Americans with Disabilities Act. Additionally, Senate Bill 851 would require each local school system to provide a copy of its emergency plan to the Maryland State Department of Education (MSDE), which would then be required to analyze the plans and report to the General Assembly as to whether each local school system is in compliance with the Department's guidelines and regulations.

Senate Bill 851 has the laudable purpose of bringing school accessibility issues to the fore; although this bill does not require the jurisdiction or local school system to make accessibility modifications to its schools, the reporting requirements will enable decisionmakers to determine the extent of the lack of accessibility and to then determine how to proceed. Additionally, the requirement that MSDE analyze emergency plans will provide critical information about how local school systems have considered accessibility issues for the students, staff and visitors to their schools.

Schools are hubs of activity for students, families, staff, and community members. It is important for the public to know if a school's main entrance is accessible. Some schools are quite large and have many entrances; nobody should have to circumnavigate a school building to try to figure out how to get inside. Neither should anybody in a building have to worry about exiting in an emergency because an appropriate, compliant plan is not in place.

For these reasons, the EAC supports Senate Bill 851.

Contact Leslie Seid Margolis, [lesliem@disabilityrightsmd.org](mailto:lesliem@disabilityrightsmd.org) or 443-692-2505.

Education Advocacy Coalition Testimony: Senate Bill 851

March 5, 2025

Page Two

Respectfully submitted,

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Education Consultant

Beth Benevides, Autism Society of Maryland, Co-Chair, Education Advocacy Coalition

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Melanie Carlos, xMinds (Partnership for Extraordinary Minds)

Stephanie Carr, S.L. Carr Education Associates, LLC

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Michelle R. Davis, M.Ed., ABCs for Life Success

Lisa Frank and Andrea Bennett, Special Kids Company

Riya Gupta, Strong Schools Maryland

Beth Ann Hancock, Charting the Course, LLC

Kalman Hettleman, Independent Advocate

Morgan Durand Horvath, M.Ed., Abilities Network

Stacy Ganz Kahn, Educational Resources Group of Greater Washington

Rosemary Kitzinger and Marjorie Guldán, Bright Futures, LLC

Ande Kolp, The Arc Maryland

Rachel London, Maryland Developmental Disabilities Council

Leslie Seid Margolis, Disability Rights Maryland, Co-Chair, Education Advocacy Coalition

Monica Martinez, Martinez Advocacy

Beth Nolan, MAT, Education Team Allies

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland/Maryland Parents of Blind  
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Kate Raab and Nicole Joseph, Law Office of Nicole Joseph

Ronnetta Stanley, M.Ed., Loud Voices Together

Guy Stephens, Alliance Against Seclusion and Restraint

Maureen van Stone, Kendall Eaton, Genevieve Hornik, Project HEAL at Kennedy Krieger  
Institute

Liz Zogby, Maryland Down Syndrome Advocacy Coalition

# **Public Health Law Clinic\_SB851\_FAV.pdf**

Uploaded by: Madison Harden

Position: FAV

**Testimony in Support of Senate Bill 851**

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

*Before the Education, Energy, and the Environment Committee: March 5, 2025*

The Public Health Law Clinic submits this testimony in support of Senate Bill 851. This bill would require local school boards to send an annual report to the Maryland General Assembly every September 1 starting in 2025 with the number of main entrances to public school buildings that are not accessible and therefore not in compliance with the Americans with Disabilities Act (ADA). Local school boards would also be required to publish this information on their websites annually by September 1, 2025. This bill would also require each local school system to send a copy of their emergency plan to the Maryland State Department of Education (MSDE) annually on September 1 starting in 2025. By each December 1, MSDE is required to analyze the emergency plans and report to the General Assembly whether each school system is in compliance with MSDE guidelines and regulations regarding ADA building standards. Senate Bill 851 is a step forward in making Maryland school buildings accessible and safer for everyone, regardless of ability.

**I. The Need for Accessibility in School Entrances Generally**

Information about the accessibility of school buildings is paramount to ensuring access to education for students with disabilities. Accessibility is also important for parents and guardians; teachers, administrators, and staff; and other members of the public who may visit public school buildings for myriad reasons, including athletic activities and voting. Despite the federal legal requirement for accessibility, there is currently no comprehensive state-wide data on how many schools in Maryland have main entrances that fail to meet ADA standards. Without publicly available information, families, advocates, and policymakers cannot assess the extent of the problem or push for necessary changes. Requiring schools to report and publish this data ensures transparency and accountability, allowing state and local governments to better allocate resources to address accessibility deficiencies. For example, Montgomery County Public Schools has posted its “Americans with Disabilities Act Compliance Data” on its website, which allows users to view 198 facilities’ interior and exterior accessibility status.<sup>1</sup> MCPS stated that they are able to use this data to “outline how barriers will be addressed and how accommodations can be made,” as well as “understanding the needs of our facilities and strategically targeting resources

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<sup>1</sup> The status is determined by whether the facility needs minor work to meet ADA standards (coded in green), work ranging from minor to major barrier removal (coded in yellow), and requires major capital investment/design work needed (coded in red). *Americans with Disabilities Act (ADA) Compliance Data*, Montgomery County Public Schools (last accessed Feb. 20, 2025), <https://ww2.montgomeryschoolsmd.org/departments/facilities/ada/>.



to address those needs.” The benefit of this type of data should be realized in all counties in Maryland.

Ensuring accessibility at school entrances is not just a matter of legal compliance; it is a matter of fundamental fairness and equal opportunity. A report by the Government Accountability Office found that nationwide, an estimated 63% of school districts have barriers that limit access for people with disabilities.<sup>2</sup> Inaccessible entrances can prevent students from arriving at school independently, force them to navigate unsafe or inconvenient alternative routes, and create daily obstacles that their peers do not face. No student should have to struggle to enter their own school building. Similarly, barriers can prevent grandparents from coming to watch their grandchild’s school play or a guest speaker with a disability to give an inspiring presentation on achieving success despite physical limitations. This bill is a necessary step toward identifying and remedying these inequities, ensuring that all students and others can access their schools with dignity.

The physical barriers to main entrances do not just impact students and school staff. School buildings also have other uses for the local community, such as voting locations and emergency shelters. An inaccessible polling place can disenfranchise voters, while barriers to emergency shelters can put lives at risk during natural disasters or other crises. Ensuring that school entrances comply with ADA standards not only benefits students but also strengthens the broader community’s ability to access essential public services in times of need.

## **II. The Importance of Inclusive Emergency Planning**

According to the Maryland Center for School Safety’s 2023 Annual Report, in the 2022-2023 school year, 1,721 threats were made against any school or school system facility, 1,083 emergency responses were made to a school, 170 emergencies resulted in a school lockdown, 241 emergencies resulted in a school evacuation, 1 incident occurred in which a public school’s emergency plan failed to function as anticipated in a real-world emergency response or drill, and 591 school hours were spent in responding to real-world incidents.<sup>3</sup> These statistics underscore the critical need for comprehensive and effective emergency planning in Maryland schools. With hundreds of real-world emergencies occurring each year, many requiring evacuations or lockdowns, it is essential that every student, staff, or school visitor, particularly those with disabilities, has an accessible path of exit. Every school system must provide a clear, actionable plan for safely responding to these situations.

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<sup>2</sup> *School Districts Need Better Information to Help Improve Access for People with Disabilities*, GOVERNMENT ACCOUNTABILITY OFFICE (June 2020), <https://www.gao.gov/assets/gao-20-448.pdf>.

<sup>3</sup> *2023 Annual Report*, MARYLAND CENTER FOR SCHOOL SAFETY (2023), [https://schoolsafety.maryland.gov/Documents/Reports-Docs/MCSS%20Annual%20Report%202023\\_508\\_Compliant.pdf](https://schoolsafety.maryland.gov/Documents/Reports-Docs/MCSS%20Annual%20Report%202023_508_Compliant.pdf).

Maryland schools are required by MSDE to conduct six emergency drills annually: evacuation, reverse evacuation, shelter in place, drop/cover/hold, and severe weather.<sup>4</sup> The Maryland Center for School Safety states that drills are critical for school safety because they “(1) provide the opportunity for students and staff to learn the best procedures to follow in the event of an emergency, (2) provide school safety personnel and emergency responders with information that informs the next steps in preparing for an emergency, and (3) alleviate staff and student fear by building confidence through the knowledge of what to do in an emergency.”<sup>5</sup> If these drills do not adequately include accessible planning for students with disabilities, then these children will likely experience greater fear and distress during both emergency drills and real-world emergencies because they are not equipped with the knowledge, confidence, or concrete planning on what they should do in the event of an emergency. Moreover, the absence of accessible emergency planning puts students with disabilities at heightened risk during actual emergencies. If evacuation routes are not accessible, if schools do not train staff on how to assist students with mobility, sensory, or cognitive disabilities, or if schools provide communication about emergency procedures in accessible formats, these students may be left behind or placed in danger. Emergency preparedness must include all students, and this bill ensures that schools take proactive steps to evaluate and improve their plans to account for the needs of students with disabilities. By requiring schools to submit their emergency plans for review, this legislation promotes accountability and ensures that no child is overlooked in moments of crisis.

### **Conclusion**

The Public Health Law Clinic urges the passage of Senate Bill 851 to advance accessibility and safety in Maryland schools. This bill provides a crucial mechanism for transparency by requiring schools to assess and report on the accessibility of their main entrances. Additionally, the bill strengthens emergency preparedness by requiring schools to submit their emergency plans for review, promoting accountability and ensuring that students and staff with disabilities are not left behind in times of crisis. For these reasons, we request a favorable report on Senate Bill 851.

*This testimony is submitted on behalf of the Public Health Law Clinic at the University of Maryland Carey School of Law and not by the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.*

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<sup>4</sup> Md. Code Regs. 13A.02.02.02(C).

# **SB851. The Arc Maryland. SWA.pdf**

Uploaded by: Ande Kolp

Position: FWA



## **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.<sup>1</sup>

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.<sup>2</sup>

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

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

<sup>2</sup> <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](mailto:akolp@thearcmd.org)

# **SB851.DDCouncil.SWA.pdf**

Uploaded by: Rachel London

Position: FWA



## Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Education, Energy, and the Environment Committee

SB 851: Public Schools - Individuals With Disabilities - Main Entrance Accessibility and  
Emergency Planning

March 5, 2025

Position: Support with Amendment

The Maryland Developmental Disabilities Council (Council) is an independent, public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. From this perspective, the Council supports HB 694 as a step toward making Maryland a place where everyone can access their schools fairly and equitably.

WHAT does this legislation do?

- Requires each Local Education Agency (LEA) to post online and to the General Assembly the number of main entrances to public school buildings that are (1) not accessible for people with disabilities and (2) do not comply with the Americans with Disabilities Act.
- Each LEA must also share a copy of their emergency plan to MSDE and the General Assembly.

The following amendment to §7-136 is needed to ensure students can access the school buildings easily and without delay:

- Add to page 2, line 6 after not, *PHYSICALLY* accessible *FOR STUDENTS WHO USE WHEELCHAIRS, INCLUDING WHETHER OR NOT AT LEAST ONE MAIN ENTRANCE HAS AN AUTOMATIC DOOR OPEN, AND WHETHER OR not THE MAIN ENTRANCES ARE* in compliance with...

WHY is this legislation important?

- Students with disabilities have the right to accessible, public education. This means buildings meet the minimum requirements under the Americans with Disabilities Act (ADA) and services required under the Individuals with Disabilities Education Act (IDEA) are in place so students with disabilities are safe and supported, including during emergencies.
- Too often, students with disabilities are not adequately supported during emergencies. Published stories about students with disabilities being left alone during fire drills or not being notified at all about emergencies reveal there still is much work to be done.<sup>1</sup>
- Schools need to implement their emergency plans to keep everyone safe. In 2017, the Maryland General Assembly passed HB 1061 (§7-435) to require LEAs address the needs of students, staff, and visitors with disabilities in their emergency plans. HB 694 will follow through on that requirement to ensure these plans are being developed as intended.

*While investments in education equity are without question needed, including for people with disabilities, the Council believes that the amount, purpose, and timing of such efforts must take into consideration the needs of all Marylanders with disabilities. Funding for this bill should not be offset by limiting essential funding for other critical needs, most immediately the Developmental Disabilities Administration community services that thousands of Marylanders depend upon.*

Contact: Dr. Stephanie Dolamore, Deputy Director, [sdolamore@md-council.org](mailto:sdolamore@md-council.org)

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<sup>1</sup> <https://www.washingtonpost.com/lifestyle/2024/11/10/disabled-students-active-shooter-drills/>



# **SB 851- Senator Zucker- Senate.pdf**

Uploaded by: Senator Craig Zucker

Position: FWA

**CRAIG J. ZUCKER**  
*Legislative District 14*  
Montgomery County



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Budget and Taxation Committee  
Chair, Capital Budget Subcommittee

Chair, Senate Democratic Caucus

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

**Testimony of Senator Craig J. Zucker**  
**Senate Bill 851- Public Schools - Individuals With Disabilities - Main Entrance**  
**Accessibility and Emergency Planning**  
**March 5<sup>th</sup>, 2025**  
**1:00pm**  
**Position: Favorable With Amendment**

Good afternoon, Chair Feldman, Vice Chair Kagan, and distinguished members of the EEE Committee. It is my pleasure to testify today in support of **Senate Bill 851- Public Schools - Individuals With Disabilities - Main Entrance Accessibility and Emergency Planning**. I would like to thank the co-sponsors, Senators Augustine and Lewis-Young for their support. I also want to thank Delegate Aaron Kaufman for his outstanding efforts and leadership on this issue.

This bill is a crucial step toward ensuring public schools are accessible and safe for all students, particularly those with disabilities. It requires transparency and accountability, ensuring that every student, regardless of ability, has the opportunity to learn and thrive in a fully accessible environment.

This bill addresses a critical gap in school accessibility and safety. Despite the ADA being law for 35 years, we lack comprehensive data on how many Maryland schools have inaccessible main entrances. What we do know is that many of our schools, especially older buildings, still have barriers that limit access for people with disabilities. This bill seeks to address that by requiring county boards of education to publish, by September 1, 2025, and annually thereafter, the number of main entrances that are not accessible.

We have also worked on an amendment (attached) that specifies that the report should include whether these entrances are accessible to students with physical disabilities who use wheelchairs, whether at least one entrance has an automatic door opener, and whether the entrances comply with the federal Americans with Disabilities Act (ADA).

This bill builds on SB 1265, passed in 2018, which required school emergency plans to accommodate students with disabilities. However, a significant issue remains: school safety evaluations, emergency plans, and local law enforcement guidelines are exempt from the Maryland Public Information Act. This prevents parents and citizens from verifying whether schools are meeting these essential requirements. Senate Bill 851 addresses this gap by requiring local school systems to submit their emergency plans to the State Department

of Education, ensuring public access and accountability. This transparency will allow parents to verify whether schools are meeting the needs of students with disabilities during emergencies.

New York, Connecticut, California, Indiana, Tennessee, New Jersey, and Massachusetts have already enacted similar laws to ensure that students with disabilities have equal access to school facilities and are properly accommodated in emergency situations. Maryland should follow suit to protect all students' rights and safety.

By requiring both transparency on accessibility issues and updates to emergency plans, Senate Bill 851 strengthens school safety and supports the rights of students with disabilities. I respectfully request a **favorable report as amended on Senate Bill 851**. Thank you for your consideration.

# **SB851 Amendment- Senator Zucker.pdf**

Uploaded by: Senator Craig Zucker

Position: FWA



SB0851/193122/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

28 FEB 25  
13:32:01

BY: Senator Zucker

(To be offered in the Education, Energy, and the Environment  
Committee)

AMENDMENTS TO SENATE BILL 851

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “on the number of” and substitute “certain information regarding the accessibility of”; in line 6, strike “that are not accessible”; and in line 7, strike “not” and substitute “individuals who use wheelchairs, and whether or not the main entrances are”.

AMENDMENT NO. 2

On page 2, in line 5, strike “**THE**” and substitute “:

**(1) THE**”;

in line 6, strike “**ACCESSIBLE**” and substitute “:

**(I) ACCESSIBLE**”;

in line 7, strike “**AND NOT IN**” and substitute “:

**(II) ACCESSIBLE FOR INDIVIDUALS WHO USE WHEELCHAIRS;**

**AND**

**(III) IN**”;

and in line 8, after “**ACT**” insert “**;AND**

(2) (I) WHETHER OR NOT AT LEAST ONE MAIN ENTRANCE TO EACH PUBLIC SCHOOL BUILDING HAS AN AUTOMATIC DOOR OPENER; AND

(II) WHETHER OR NOT THE MAIN ENTRANCES TO PUBLIC SCHOOL BUILDINGS ARE IN COMPLIANCE WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT”.

# **SB0851- State Board- LOI.pdf**

Uploaded by: Carey Wright

Position: INFO

TO: Senate Committee on Education, Energy, and the Environment

BILL: Senate Bill (SB) 0851 – Public Schools - Individuals With Disabilities - Main Entrance Accessibility and Emergency Planning

DATE: March 05, 2025

POSITION: Information

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The Maryland State Department of Education (MSDE) is providing information for consideration regarding Senate Bill 0851 – Public Schools - Individuals With Disabilities - Main Entrance Accessibility and Emergency Planning, which requires each county board of education to annually identify on its website and in a report, the number of main entrances to public school buildings in the county that are not accessible for individuals with disabilities and not in compliance with the federal Americans with Disabilities Act (ADA) and requires that each local school system send a copy of their system's Emergency Plan to MSDE and that MSDE will analyze and report to the General Assembly on whether each local school system is in compliance with current guidelines and regulations.

It is important to note that some of the provisions of SB0851 are duplicative of current tasks assigned to MSDE and the Maryland Center for School Safety (MCSS). The Code of Maryland Regulations (COMAR) 13A.02.02.05 – Annual Certification requires that by September 30 of each year, each local superintendent of schools and the Head of the SEED School certify to the State Superintendent that the requirements of this chapter are being implemented, including whether LEA emergency plans are aligned with the MSDE emergency planning guidelines. Each local superintendent of schools and the Head of the SEED are required to send a copy of the LEAs central administration emergency plan to MSDE, if updated from the previous year. These plans are reviewed and analyzed each year, upon submission.

Additionally, outlined in the Maryland Code, Education Article § 7-1501 requires LEAs to submit their emergency operations plans (EOPs) to the MCSS. Under this law, the Maryland Center for School Safety is tasked with assisting schools in creating, reviewing, and updating their emergency plans. Specifically, the law stipulates the following:

- Section 7-1501(b) requires each LEA to have an Emergency Operations Plan in place to address different types of emergencies (natural disasters, active shooter events, etc.).
- Section 7-1501(c) requires that LEAs submit their Emergency Operations Plans to the MCSS for review and approval. The MCSS helps ensure that the plans comply with state standards and best practices for school safety.
- This law is part of Maryland's broader school safety initiative to ensure that schools are prepared for a range of emergency situations and have protocols in place to respond effectively. The MCSS provides resources, training, and guidance to LEAs



for developing and maintaining these plans.

- The Maryland Code, Education Article § 7-1502, further reinforces the need for schools to regularly update their emergency plans and ensure they meet the evolving safety standards set by the state.

MSDE remains committed to the accessibility and safety of all Maryland Public Schools and its collaboration with the Maryland Center for School Safety to ensure compliance with current state and federal laws and regulations.

We respectfully request that you consider this information as you deliberate **SB0851**.

For further information, please contact Dr. Akilah Alleyne (Executive Director of Government Affairs) at 410-767-0504, or [Akilah.alleyne@maryland.gov](mailto:Akilah.alleyne@maryland.gov).

## **SB851 - Public Schools - Individuals with Disabili**

Uploaded by: Dawana Sterrette

Position: INFO

**Letter of Information**  
**Baltimore City Board of School Commissioners**  
**Senate Bill 851**  
**Public Schools – Individuals with Disabilities –**  
**Main Entrance Accessibility and Emergency Planning**

**March 5, 2025**

The Baltimore City Board of School Commissioners understands the need to ensure that all students, staff and visitors to public schools have access to school buildings. As school buildings are renovated in Baltimore City, accessibility is in the forefront of those renovations. The Board would encourage the Maryland General Assembly to provide additional funding, outside of the Capital improvement Program (CIP) to allow for funds to be used specifically to address any accessibility issues and related findings.

City Schools estimates that more than \$3.86 billion (in today's dollars) is needed to bring all City Schools school buildings up to minimally acceptable standards through repairs and replacements to the remaining facilities that are still in need of a complete overhaul due to their age and conditions, even after the 21st Century School Buildings Program and the Built to Learn Act of 2020 have been fully implemented.

With the 21<sup>st</sup> Century School Buildings Program, the school board pays approximately \$20 million dollars, per year, in bond payments in order to support the construction of those newly renovated buildings; \$20 million that could have been used for instruction, interventions and other school related teaching expenses. Charter schools have the same ability to seek funding for facility issues from outside entities and pay for those costs.

Also, given current inflationary pressures on construction costs, there is ample evidence that facility issues within City Schools is even more concerning and the \$3.86 billion significantly underestimates the full costs of addressing these unmet systemic facility renovation needs, and that even more funding would be required to complete a full portfolio replacement to the educational standards recommended by the IAC, and utilized by other school districts in Maryland and across the nation.

The Board knows the importance of accessibility and is hopeful that the General Assembly will not only want a list of schools with accessibility issues, but provide funding once identified in order to cure the accessibility issues.

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# **SB 851 - Accessibility Reporting.pdf**

Uploaded by: Sam Mathias

Position: INFO

**BILL:** Senate Bill 851  
**TITLE:** Public Schools - Individuals With Disabilities - Main Entrance  
Accessibility and Emergency Planning  
**HEARING DATE:** March 5, 2025  
**POSITION:** LETTER OF INFORMATION  
**COMMITTEE:** Education, Energy, and the Environment  
**CONTACT:** Sam Mathias, Legal & Policy Services Director  
([smathias@mabe.org](mailto:smathias@mabe.org))

The Maryland Association of Boards of Education (MABE), representing all the state's local boards of education, provides this informational letter for Senate Bill 851, Public Schools – Individuals With Disabilities – Main Entrance Accessibility and Emergency Planning.

Senate Bill 851 seeks two additions to laws concerning accessibility and school buildings; namely (1) that each county board publish on its website the number of main entrances to public school buildings that are not accessible for individuals with disabilities, and (2) create a secondary review of each school system's emergency plans by MSDE. MABE understands and appreciates the intent for further transparency and ensured safety for students with disabilities but wants to highlight the robust efforts set forth in law, regulatory scheme, and in current practice to provide for and accommodate all students, and in particular, students with disabilities.

### ***Existing Emergency Planning Frameworks and Practices are Robust***

Each school system develops and maintains specific emergency plans tailored to the unique characteristics of its school buildings, student population, and staff. These plans are reviewed and approved by the Maryland Center for School Safety (MCSS). Importantly, all emergency plans always include accommodations for students with disabilities, such as designated exit routes, assigned individuals to assist students with disabilities, and Identified places of refuge, as necessary.

Maryland's schools and agencies take school safety and emergency planning seriously. Education Article § 7-1510 outlines a robust framework that involves school systems, the Interagency Commission on School Construction, the Maryland State Department of Education (MSDE), and MCSS. This statute works in tandem with the existing law in Education Article § 7-435, which Senate Bill 851 seeks to amend. Among other things, the existing statutory and regulatory framework requires:

- Compliance with the latest Emergency Planning Guidelines;
- Each local school system's annual evaluation of every school building's emergency plan;
- Regular consultation with MCSS for guidance;
- Immediate corrective actions in response to identified weaknesses in facilities or emergency plans; and
- Certification and summary by every school system of its completed safety evaluations annually to MCSS.

In addition, as part of this broad emergency planning, students with disabilities receive individualized emergency planning, often incorporated into their Individualized Education Plans (IEPs) or Section 504 Plans, as well as into school emergency plans, ensuring that these students' needs are explicitly addressed. (This practice is universal and required already in Ed. Art. § 7-435.) Some examples of this sort of specific accommodation that occurs in every school building across every school system in preparation for an emergency, are the following:

- Emergency medication access (i.e., epi-pens, inhalers in emergency "go bags");
- Self-treatment coaching (i.e., diabetic students managing glucose levels during an emergency);
- Close-proximity evacuation support for students with orthopedic impairments or anxiety;
- Alternative accessible evacuation routes and additional staff support for students using wheelchairs, crutches, or other mobility aids.

In short, there is a robust statutory and administrative support framework, buttressed by active school and government interaction to provide for high quality school emergency planning. What Senate Bill 851 proposes is a large administrative review that would require MSDE to analyze more than 1,400 school facility emergency plans. It is unclear whether such a review, particularly in light of the work that school systems do in partnership with MCSS and other agencies, would redound to increased safety or improved emergency preparedness in our schools.

### ***The Purpose of Publishing Main Entrance Accessibility***

Senate Bill 851 also requires the publication of the number of main entrances to public school buildings that are not accessible for individuals with disabilities or do not comply with the ADA. However, the purpose of publishing this number is unclear, especially given the significant variations in school facilities across different jurisdictions.



While the publication of this data may not be burdensome, it is important to note that, from an emergency planning perspective, the number of non-accessible main entrances provides little actionable value. Emergency plans are designed to account for multiple means of egress, ensuring that students and staff can evacuate safely through accessible routes, regardless of whether the main entrance is ADA-compliant.