

## **House Bill 1182 – Public and Nonpublic Schools – Student Elopement – Locative Devices**

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Submitted by: Alicia Renee  
Special Education Advocate | Maryland Constituent

### ***Position: Favorable with Amendments***

House Bill 1182 addresses a critical and well-documented issue: student wandering and elopement, particularly among students with disabilities. The bill's intent—to improve safety and provide structured responses to elopement behavior—is necessary and appropriate.

As a Maryland advocate working directly with families navigating failures in IEP implementation and student safety planning, I support the recognition of elopement as a serious risk. However, in its current form, the bill relies heavily on discretion and optional implementation, without ensuring consistent protections, accountability, or alignment with federal special education law.

If the intent of this bill is to improve safety outcomes, it must establish enforceable standards and ensure that interventions are both equitable and effective.

### **Key Concerns and Required Amendments**

#### **1. Discretion Without Minimum Standards**

The bill allows schools broad discretion in developing policies and implementing locative device use. This will result in inconsistent practices across districts and schools.

**Amendment:** Establish minimum statewide standards for elopement prevention, supervision, response protocols, and documentation.

#### **2. Lack of Required Behavioral Assessment and Intervention**

The bill references IEPs and behavior plans but does not require a Functional Behavioral Assessment (FBA) or evidence-based intervention when elopement occurs.

**Amendment:** Require FBAs and data-driven Behavior Intervention Plans for any student with documented elopement or wandering behavior.

#### **3. Equity Gap in Access to Safety Supports**

The bill explicitly states that schools are not required to provide or manage locative devices.

This creates inequitable access, placing the burden on families to fund safety measures.

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**Amendment:** Clarify that when a locative device is determined necessary through the IEP process, it must be considered under assistive technology or related services, consistent with FAPE requirements.

### **4. Insufficient Real-Time Safety Requirements**

The bill requires same-day parent notification following an elopement incident.

This is insufficient to ensure student safety during active incidents.

**Amendment:** Require immediate notification during elopement events, defined response protocols, and staff training requirements.

### **5. No Required Data Tracking or System-Level Learning**

While the bill includes privacy protections, it does not require tracking or analysis of elopement incidents.

**Amendment:** Require incident tracking, integration of data into IEP decision-making, and reporting of trends to support system-level improvement.

### **6. No Enforcement or Accountability Mechanism**

The bill requires policies but does not establish consequences for failure to implement or follow them.

**Amendment:** Establish oversight, corrective action requirements, and alignment with MSDE monitoring systems to ensure compliance.

House Bill 1182 acknowledges a serious safety issue, but without enforceable standards, aligned interventions, and accountability mechanisms, it risks reinforcing inconsistent practices that leave vulnerable students unprotected.

Maryland must ensure that student safety is not discretionary.

I respectfully urge a favorable report with amendments to ensure this bill delivers consistent, equitable, and effective protections for all students.

Respectfully submitted,

Alicia Renee

Maryland Constituent & Special Education Advocate