

EDUCATION ADVOCACY COALITION FOR STUDENTS WITH DISABILITIES

HOUSE WAYS AND MEANS COMMITTEE

House Bill 1060: Primary and Secondary Schools - Petitions for Emergency Evaluation - Requirement for Tracking and Reporting and Study

March 10, 2026

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 House Bill 1060.

House Bill 1060 requires the Maryland State Department of Education to create and schools to implement a statewide system for tracking and reporting school-initiated petitions for emergency evaluations of students. Schools must collect demographic data, disability status, the reason for each petition, who initiated it, whether handcuffs were used, and the outcomes of the evaluation. MSDE must verify data accuracy, compile statewide reports twice yearly, and submit an annual public report disaggregated by school and student characteristics. The bill also establishes a workgroup to study how emergency evaluation petitions are used in school settings and recommend improvements in training, coordination, policy, and statutory frameworks.

An emergency petition is a legal process that allows an individual who is experiencing a serious mental health crisis to be taken into custody and examined by a medical professional in an emergency facility. A petition for an emergency evaluation can be made if the individual presents a danger to self or other as a result of the mental health crisis.

Maryland schools are using emergency petitions on children as young as five years old. In Wicomico County alone, students have been sent to hospital emergency rooms for psychiatric evaluations at least 750 times over eight years. This issue was serious enough that Wicomico County entered a 2017 settlement agreement with the U.S. Department of Justice, committing not to misuse emergency petitions after federal investigators raised concerns about discriminatory discipline practices.

While we know this is occurring across the state, we still do not know how often these emergency petitions occur because data collection is inconsistent and fragmented. In some Maryland counties, school districts maintain the data; in others, law enforcement

does; and in some counties, no entity collects this information at all, leaving policymakers and families without a clear picture of how frequently students are being subjected to this process.

The use of emergency petitions can be deeply harmful to children, in part because the process often involves police intervention and the use of handcuffs, which can be frightening, stigmatizing, and traumatic, especially for young students. Once transported, children are taken to a hospital emergency room for a psychiatric evaluation, which can lead to costly hospital bills for families, even when the underlying issue stems from unmet educational or behavioral-support needs rather than a true mental-health crisis.

Given the seriousness associated with the use and misuse of emergency petitions by schools in Maryland, comprehensive statewide data is urgently needed to understand the scope of the problem.

For these reasons, the EAC strongly supports HB 1060.

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Respectfully submitted,

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