
TO: Ways and Means Committee

BILL: House Bill (HB) 1060 – Primary and Secondary Schools – Petitions for Emergency Evaluation – Requirement for Tracking and Reporting and Study.

DATE: March 10, 2026

POSITION: Information

The Maryland State Department of Education (MSDE) provides this Letter of Information regarding House Bill (HB) 1060 – Primary and Secondary Schools – Petitions for Emergency Evaluation – Requirement for Tracking and Reporting and Study.

HB 1060 requires MSDE to develop a statewide system for tracking and reporting emergency petitions initiated under the Health-General Article for emergency psychiatric evaluations. Public and nonpublic schools must implement the system and collect detailed data whenever a petition is filed, including student demographics, disability status, the identity of the school employee initiating the petition, the reason for the petition, whether handcuffs were used, and the outcome of the evaluation. The bill also requires related reporting requirements and establishes a workgroup composed of representatives from education, health care, law enforcement, and advocacy organizations, to study the circumstances under which emergency evaluation petitions are initiated and identify opportunities to improve documentation, data sharing, and crisis response practices.

While increased understanding of the circumstances and outcomes related to the filing of an emergency petition at a school could inform training needs for school staff and improve processes to better serve students, establishing a statewide system to collect, verify, and report this sensitive information presents significant implementation considerations.

There are currently 355 private pay schools approved by the State Board of Education, 73 publicly funded approved nonpublic schools, and 431 registered church-exempt schools, for a total of 859 nonpublic schools in Maryland. For the 73 publicly funded nonpublic special education schools, data collection and verification could potentially be incorporated into existing monitoring protocols. However, comparable monitoring structures do not currently exist for the broader population of nonpublic schools. While the number of incidents may be low, the requirement to verify reports that no petitions were filed by a school may therefore present implementation challenges.

Throughout the local and state reporting processes, ensuring adherence to State and federal privacy laws, such as the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA), may require legal review of data-sharing protocols and investment in tools and technologies to ensure privacy.

The sensitive nature of the data and the requirement to verify any LEA or school report of no petitions filed may result in costs for MSDE to establish or add to systems for safe and confidential transfer and storage of reports of emergency petitions. The same considerations will need to be addressed by LEAs in collecting data from their schools.

If an emergency petition is initiated at a school, procedures for documentation in an incident report are already in place. This report will include actions taken in the school, but may not adequately capture the follow-up actions taken by a hospital or mental health provider, as is required by proposed § 7-455 (b).

The workgroup will submit its findings and recommendations by December 1, 2027. Given this timeline, the workgroup would likely have access to data from only one school year, the 2026–2027 school year, to inform its review.

MSDE respectfully requests consideration of these comments as HB 1060 is discussed and deliberated. For further information, please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at laurel.cratsley@maryland.gov.