

HOUSE BILL 226

F1
HB 715/21 – W&M

2lr1528
CF SB 577

By: **Delegates Guyton and Luedtke**

Introduced and read first time: January 13, 2022

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2022

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Self-Contained Special Education Classroom –~~Use of Video~~**
3 **Recording Devices Pilot Program**

4 FOR the purpose of ~~requiring each county board of education, beginning in a certain school~~
5 ~~year, to install~~ establishing the Self-Contained Special Education Classroom Video
6 Recording Pilot Program; providing for the administration of, funding for, and
7 participation in the Pilot Program; requiring certain public schools to allow the
8 installation of a video recording device in each one self-contained special education
9 classroom in the school; providing for the installation, operation, notification, and
10 use of a video recording device and the viewing, use, and confidentiality of system
11 recordings; requiring the ~~school administration~~ principal of a school participating in
12 the Pilot Program to notify the appropriate law enforcement agency on receipt of a
13 complaint of alleged neglect or abuse of a student under certain circumstances;
14 requiring ~~a school administrator or other~~ an employee of a school to report observed
15 actions that could be considered the abuse or neglect of a certain student under
16 certain circumstances; requiring ~~each county board~~ certain county boards of
17 education to collect certain data regarding video recording devices and system
18 recordings for certain school years; requiring the State Department of Education to
19 evaluate the use of video recording devices in self-contained special education
20 classrooms and ~~make a certain determination~~ report on the evaluation to the
21 Governor and the General Assembly; and generally relating to the ~~use of video~~
22 ~~recording devices in self-contained special education classrooms~~ Self-Contained
23 Special Education Classroom Video Recording Pilot Program.

24 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Education
Section 7–450
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 8–401(a)(1) and (5)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

7–450.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(2) “DIGITAL EVIDENCE MANAGEMENT SYSTEM” MEANS A
CLOUD–BASED STORAGE SYSTEM USED TO STORE ALL RECORDINGS FROM A VIDEO
RECORDING DEVICE LOCATED IN A SELF–CONTAINED SPECIAL EDUCATION
CLASSROOM.

(3) “DIVISION” MEANS THE DIVISION OF EARLY INTERVENTION AND
SPECIAL EDUCATION SERVICES WITHIN THE DEPARTMENT.

(4) ~~“EXCLUSION AREA PILOT PROGRAM” MEANS A SUPERVISED AREA
TO WHICH A STUDENT WHO RECEIVES INSTRUCTION IN A SELF–CONTAINED SPECIAL
EDUCATION CLASSROOM IS TAKEN FOR A LIMITED PERIOD OF TIME TO REGAIN
SELF–CONTROL THE SELF–CONTAINED SPECIAL EDUCATION CLASSROOM VIDEO
RECORDING PILOT PROGRAM.~~

(5) “SELF–CONTAINED SPECIAL EDUCATION CLASSROOM” MEANS A
CLASSROOM IN A PUBLIC SCHOOL IN WHICH ALL OF THE REGULARLY ATTENDING
STUDENTS HAVE A DISABILITY AND ARE ~~PROVIDED SPECIAL EDUCATION
INSTRUCTION IN THAT CLASSROOM~~ FOR AT LEAST 50% OF THE INSTRUCTIONAL DAY,
~~INCLUDING STUDENTS WHO ARE CLASSIFIED PRIMARILY AS CERTIFICATE TRACK
AND CANNOT RELY ON SPEECH ALONE TO BE HEARD AND UNDERSTOOD.~~

(6) “SPECIAL EDUCATION” HAS THE MEANING STATED IN § 8–401 OF
THIS ARTICLE.

(7) "SYSTEM RECORDING" MEANS ALL VIDEO CAPTURED AND UPLOADED FROM A VIDEO RECORDING DEVICE LOCATED IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM.

~~(B) (1) (I) EACH COUNTY BOARD SHALL INSTALL AT LEAST ONE VIDEO RECORDING DEVICE IN EACH SELF-CONTAINED SPECIAL EDUCATION CLASSROOM IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.~~

~~(2) THE INSTALLATION SHALL BE DONE AT THE DISCRETION OF THE DIVISION ON THE FOLLOWING SCHEDULE:~~

~~(I) BEGINNING IN THE 2022-2023 SCHOOL YEAR, INSTALLATION IN AT LEAST 50% OF THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS WITHIN THE LOCAL SCHOOL SYSTEM; AND~~

~~(II) BEGINNING IN THE 2023-2024 SCHOOL YEAR, INSTALLATION IN 100% OF THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS WITHIN THE LOCAL SCHOOL SYSTEM. THERE IS A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM VIDEO RECORDING PILOT PROGRAM IN THE DEPARTMENT.~~

~~(II) THE PILOT PROGRAM SHALL BE ADMINISTERED BY THE DIVISION.~~

~~(III) THE DIVISION SHALL SELECT FIVE LOCAL SCHOOL SYSTEMS IN THE STATE WITH ATTENTION TO GEOGRAPHIC DIVERSITY AND WHERE, IN THE JUDGMENT OF THE DIVISION, VIDEO MONITORING OF SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS IS MOST ACUTELY NECESSARY.~~

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COUNTY SUPERINTENDENT OF EACH LOCAL SCHOOL SYSTEM SELECTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL CHOOSE ONE PUBLIC ELEMENTARY SCHOOL AND ONE PUBLIC HIGH SCHOOL WITHIN THE LOCAL SCHOOL SYSTEM TO INSTALL A VIDEO RECORDING DEVICE IN ONE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM IN EACH SCHOOL.

(II) THE COUNTY SUPERINTENDENT SHALL CHOOSE SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS THAT HAVE AMONG THE HIGHEST NUMBERS OF ATTENDANCE IN ANY SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS IN THE LOCAL SCHOOL SYSTEM.

(III) BEGINNING WITH THE 2023-2024 SCHOOL YEAR, THE DIVISION SHALL INSTALL AT LEAST ONE VIDEO RECORDING DEVICE IN EACH

SELF-CONTAINED SPECIAL EDUCATION CLASSROOM SELECTED IN ACCORDANCE WITH THIS SUBSECTION.

(3) A VIDEO RECORDING DEVICE UNDER THIS SUBSECTION SHALL RECORD:

(I) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, ALL AREAS OF THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM, ~~INCLUDING ALL EXCLUSION AREAS;~~ AND

(II) DURING SCHOOL HOURS AND AT ANY TIME THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM ~~OR EXCLUSION AREA~~ IS IN USE.

(4) A VIDEO RECORDING DEVICE UNDER THIS SECTION MAY NOT RECORD INSIDE BATHROOM AREAS OR IN AREAS THAT STUDENTS USE TO CHANGE CLOTHING.

(C) ~~EACH COUNTY BOARD~~ PUBLIC SCHOOL PARTICIPATING IN THE PILOT PROGRAM SHALL PROVIDE NOTICE OF THE USE OF A VIDEO RECORDING DEVICE IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM BY:

(1) POSTING A SIGN IN A CONSPICUOUS LOCATION OUTSIDE EACH SELF-CONTAINED SPECIAL EDUCATION CLASSROOM WHERE A VIDEO RECORDING DEVICE IS USED;

(2) PROVIDING WRITTEN NOTICE TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT WHO RECEIVES INSTRUCTION IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM; ~~AND~~

(3) PROVIDING WRITTEN NOTICE IN THE STUDENT HANDBOOK OF THE USE OF VIDEO RECORDING DEVICES; AND

(4) PROVIDING WRITTEN NOTICE AT LEAST 2 WEEKS IN ADVANCE OF THE ACTIVATION OF THE VIDEO RECORDING DEVICE TO ALL SCHOOL PERSONNEL WHO PROVIDE INSTRUCTION OR OTHERWISE SUPPORT THE STUDENTS IN THE SELF-CONTAINED SPECIAL EDUCATION CLASSROOM.

(D) (1) ALL SYSTEM RECORDINGS SHALL BE UPLOADED TO A DIGITAL EVIDENCE MANAGEMENT SYSTEM ADMINISTERED BY A COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM AND SHALL REMAIN THE PROPERTY OF THE COUNTY BOARD.

(2) UNLESS A COUNTY BOARD RECEIVES A REQUEST TO VIEW OR STORE A PARTICULAR VIDEO RECORDING, THE COUNTY BOARD SHALL STORE A

1 VIDEO RECORDING MADE UNDER THIS SECTION FOR AT LEAST 3 MONTHS ~~AND NOT~~
2 ~~MORE THAN 6 MONTHS~~ AFTER THE DATE OF THE RECORDING.

3 (3) IF A REQUEST IS MADE UNDER PARAGRAPH (2) OF THIS
4 SUBSECTION, THE COUNTY BOARD SHALL STORE THE VIDEO RECORDING UNTIL THE
5 REASON FOR THE REQUEST IS RESOLVED.

6 (4) IF A VIDEO RECORDING IS TO BE USED AS EVIDENCE TO SUPPORT
7 OR REFUTE A COMPLAINT AGAINST AN EMPLOYEE OR A CONTRACTOR, THE COUNTY
8 BOARD SHALL RETAIN THE PORTION OF THE VIDEO RECORDING RELATED TO THE
9 COMPLAINT FOR AT LEAST 1 YEAR AFTER THE DATE THE COMPLAINT IS MADE.

10 (E) (1) IF A PERSON DISCOVERS THAT THE OPERATION OF A VIDEO
11 RECORDING DEVICE HAS BEEN INTERRUPTED, THE PERSON SHALL SUBMIT A
12 WRITTEN REPORT TO THE PRINCIPAL OF THE SCHOOL THAT INCLUDES A
13 DESCRIPTION OF:

14 (I) HOW THE INTERRUPTION WAS DISCOVERED ~~AND THE~~;

15 (II) THE LENGTH OF THE INTERRUPTION; AND

16 ~~(H)~~ (III) THE REASON FOR THE INTERRUPTION, IF KNOWN.

17 (2) THE COUNTY BOARD SHALL MAINTAIN A REPORT SUBMITTED
18 UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR 1 YEAR AFTER THE DATE OF THE
19 SUBMISSION OF THE REPORT.

20 (F) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (G) AND (L) OF THIS
21 SECTION AND PARAGRAPH (2) OF THIS SUBSECTION, A VIDEO RECORDING MADE IN
22 ACCORDANCE WITH THIS SECTION IS CONFIDENTIAL AND MAY NOT BE VIEWED,
23 SHARED, OR DISSEMINATED IN ANY MANNER.

24 (2) THE FOLLOWING PERSONS MAY VIEW A VIDEO RECORDING MADE
25 UNDER THIS SECTION:

26 (I) A MEMBER OF THE SCHOOL ADMINISTRATION;

27 (II) A SUPERVISOR FROM THE ADMINISTRATION OF THE
28 SCHOOL SYSTEM;

29 (III) A REPRESENTATIVE FROM CHILD PROTECTIVE SERVICES;
30 AND

31 (IV) A LAW ENFORCEMENT AGENCY.

(G) (1) ~~THE SCHOOL ADMINISTRATION~~ PRINCIPAL OF A SCHOOL PARTICIPATING IN THE PILOT PROGRAM SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY IN ACCORDANCE WITH § 5-704 OF THE FAMILY LAW ARTICLE ON RECEIPT OF A COMPLAINT OF ALLEGED NEGLECT OR ABUSE OF A STUDENT THAT OCCURRED IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM WHILE A VIDEO RECORDING DEVICE WAS RECORDING.

(2) ~~THE SCHOOL ADMINISTRATION AND A REPRESENTATIVE FROM THE SUPERINTENDENT'S OFFICE~~ PRINCIPAL AND THE COUNTY SUPERINTENDENT SHALL REVIEW THE VIDEO RECORDING WITH THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER THE DATE THE COMPLAINT OR REPORT WAS MADE.

(3) AT THE CONCLUSION OF AN INVESTIGATION CONDUCTED BY A LAW ENFORCEMENT AGENCY RELATED TO A COMPLAINT NOTIFICATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND ON REQUEST OF ~~THE STUDENT, PARENT, OR LEGAL GUARDIAN OF THE STUDENT TO WHOM THE VIDEO RECORDING DIRECTLY RELATES, THE SUPERINTENDENT'S OFFICE SHALL ALLOW THE STUDENT, PARENT, OR LEGAL GUARDIAN TO INSPECT AND REVIEW THE VIDEO RECORDING~~ A PARTY DIRECTLY INVOLVED IN THE COMPLAINT, INCLUDING A STUDENT WHO WAS ALLEGEDLY NEGLECTED OR ABUSED, THE PARENT OR GUARDIAN OF A STUDENT WHO WAS ALLEGEDLY NEGLECTED OR ABUSED, OR A MEMBER OF THE SCHOOL STAFF WHO WAS ALLEGED TO HAVE NEGLECTED OR ABUSED A STUDENT, SHALL BE ALLOWED, ON REQUEST, TO INSPECT AND REVIEW THE VIDEO RECORDING BY THE COUNTY SUPERINTENDENT.

(H) (1) ~~IF A SCHOOL ADMINISTRATOR OR OTHER~~ AN EMPLOYEE OF A SCHOOL PARTICIPATING IN THE PILOT PROGRAM OBSERVES AN ACTION THAT COULD BE CONSIDERED THE ABUSE OR NEGLECT OF A STUDENT IN A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM ~~OR EXCLUSION AREA~~, ~~THE SCHOOL ADMINISTRATOR OR EMPLOYEE SHALL REPORT THE ACTION~~, IN ACCORDANCE WITH ANY APPLICABLE CHILD ABUSE AND NEGLECT REPORTING GUIDELINES, REPORT THE ACTION TO THE PRINCIPAL OF THE SCHOOL AND ANY OTHER REQUIRED PARTIES.

(2) ON RECEIVING A REPORT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PRINCIPAL SHALL NOTIFY ~~A~~:

(I) A PARENT OR LEGAL GUARDIAN OF THE STUDENT WHO IS THE SUBJECT OF THE REPORT WITHIN 24 HOURS AFTER RECEIVING THE REPORT; AND

1 (II) A SCHOOL EMPLOYEE WHO IS INVOLVED WITH THE
2 ALLEGED ABUSE OR NEGLECT.

3 (I) A COUNTY BOARD SHALL MAKE A REASONABLE ATTEMPT TO CONCEAL
4 THE IDENTITY OF ANY STUDENT WHO APPEARS IN A VIDEO RECORDING MADE UNDER
5 THIS SECTION WHO IS NOT INVOLVED IN THE INCIDENT FOR WHICH THE VIDEO
6 RECORDING IS BEING VIEWED.

7 (J) THE DEPARTMENT, A COUNTY BOARD, A SCHOOL, OR A PRINCIPAL MAY
8 NOT USE A VIDEO RECORDING DEVICE INSTALLED IN ACCORDANCE WITH THIS
9 SECTION TO MONITOR THE PROFESSIONAL PERFORMANCE OF SCHOOL EMPLOYEES.

10 (K) THE DEPARTMENT, A COUNTY BOARD, A SCHOOL, OR A PRINCIPAL MAY
11 NOT USE A VIDEO RECORDING MADE IN ACCORDANCE WITH THIS SECTION:

12 (1) AS EVIDENCE IN A COMPLAINT AGAINST A STUDENT OR SCHOOL
13 EMPLOYEE THAT IS NOT RELATED TO A CRIMINAL COMPLAINT; OR

14 (2) IN THE OBSERVATION OR EVALUATION OF A STUDENT FOR
15 STUDENT PLACEMENT DECISIONS.

16 (L) NOTHING IN THIS SECTION PRECLUDES THE USE OF A VIDEO
17 RECORDING IN ACCORDANCE WITH ~~A DISCIPLINARY ACTION OR~~ AN INVESTIGATION
18 OF ABUSE OR NEGLECT WITHIN THE SCHOOL SYSTEM.

19 ~~(M) A COUNTY BOARD MAY SOLICIT AND ACCEPT GIFTS, GRANTS, AND~~
20 ~~DONATIONS FROM ANY PERSON TO BE USED TOWARD THE INSTALLATION AND~~
21 ~~OPERATION OF A VIDEO RECORDING DEVICE UNDER THIS SECTION.~~

22 ~~(N)~~ ALL VIDEO RECORDING DEVICES UNDER THIS SECTION SHALL COMPLY
23 WITH FEDERAL FIRE AND SAFETY STANDARDS.

24 ~~(O) (N)~~ (1) ~~BEGINNING IN THE 2022-2023 SCHOOL YEAR THROUGH~~
25 ~~THE 2025-2026 SCHOOL YEAR, EACH COUNTY BOARD~~ IN THE 2023-2024 SCHOOL
26 YEAR AND THE 2024-2025 SCHOOL YEAR, EACH COUNTY BOARD PARTICIPATING IN
27 THE PILOT PROGRAM SHALL COLLECT DATA ON:

28 (I) THE NUMBER OF VIDEO RECORDING DEVICES INSTALLED IN
29 SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS, ~~AGGREGATED BY SCHOOL~~
30 ~~LEVEL;~~

31 (II) THE NUMBER OF COMPLAINTS RESULTING IN THE VIEWING
32 OF A VIDEO RECORDING MADE UNDER THIS SECTION, ~~AGGREGATED BY SCHOOL~~
33 ~~LEVEL;~~

(III) THE IDENTITY OF THE PERSON THAT MADE A REQUEST TO VIEW A VIDEO RECORDING;

(IV) THE REASON FOR THE REQUEST TO VIEW A VIDEO RECORDING; ~~AND~~

(V) THE RESOLUTION OF THE COMPLAINT THAT WAS THE SUBJECT OF THE VIDEO RECORDING; AND

(VI) THE COST TO EACH COUNTY BOARD TO MAINTAIN AND MONITOR VIDEO RECORDINGS UNDER THE PILOT PROGRAM.

~~(2) (I) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE EACH JULY 1 THEREAFTER THROUGH AND INCLUDING JULY 1, 2026, EACH COUNTY BOARD ON OR BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1, 2025, EACH COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM SHALL SUBMIT A REPORT TO THE DEPARTMENT ON THE DATA COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE IMMEDIATELY PRECEDING SCHOOL YEAR.~~

(II) FOR COMPARISON PURPOSES, EACH COUNTY BOARD PARTICIPATING IN THE PILOT PROGRAM SHALL INCLUDE IN THE REPORTS SUBMITTED UNDER THIS PARAGRAPH INFORMATION COLLECTED DURING THE 2022-2023 SCHOOL YEAR ON:

1. THE NUMBER OF COMPLAINTS OF ABUSE OR NEGLECT IN THE SAME SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS IN WHICH VIDEO RECORDING DEVICES ARE INSTALLED BEGINNING IN THE 2023-2024 SCHOOL YEAR; AND

2. THE RESOLUTION OF THOSE COMPLAINTS.

~~(3) ON RECEIPT OF THE FINAL REPORT~~ THE REPORTS DUE JULY 1, 2025, UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL EVALUATE THE USE OF VIDEO RECORDING DEVICES IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS AND DETERMINE WHETHER TO USE THE DEVICES IN OTHER SPECIAL EDUCATION CLASSROOMS BY COMPARING THE RESULTS OF SCHOOLS PARTICIPATING IN THE PILOT PROGRAM WITH OTHER SCHOOLS IN THE COUNTY, INCLUDING THE FOLLOWING FOR BOTH PARTICIPATING PUBLIC SCHOOLS AND OTHER PUBLIC SCHOOLS:

(I) THE PROPORTION OF COMPLAINTS RECEIVED ABOUT SUSPECTED ABUSE AND NEGLECT RELATIVE TO THE TOTAL POPULATION OF STUDENTS IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS;

(II) THE PROPORTION OF COMPLAINTS DESCRIBED UNDER
ITEM (I) OF THIS PARAGRAPH SUSTAINED RELATIVE TO THE TOTAL POPULATION OF
STUDENTS IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS; AND

(III) THE RACE, ETHNICITY, AND GENDER OF ANY STUDENTS IN
A SELF-CONTAINED SPECIAL EDUCATION CLASSROOM WHO ARE THE SUBJECTS OF
A COMPLAINT UNDER ITEM (I) OF THIS PARAGRAPH.

(4) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL
REPORT THE RESULTS OF ITS EVALUATION OF THE USE OF VIDEO RECORDING
DEVICES IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS TO THE
GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
ARTICLE, THE GENERAL ASSEMBLY.

~~(P) (O) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY
OUT THE PROVISIONS OF THIS SECTION~~ THE STATE SHALL REIMBURSE EACH
COUNTY BOARD THAT PARTICIPATES IN THE PILOT PROGRAM FOR ANY COSTS
ASSOCIATED WITH PARTICIPATION.

(2) EACH COUNTY BOARD SHALL SUBMIT TO THE DEPARTMENT A
REQUEST FOR REIMBURSEMENT FOR THE COSTS ASSOCIATED WITH INSTALLING,
MONITORING, AND STORING VIDEO COLLECTED BY VIDEO RECORDING DEVICES
INSTALLED IN SELF-CONTAINED SPECIAL EDUCATION CLASSROOMS.

(3) IN EACH OF FISCAL YEARS 2024 AND 2025, THE GOVERNOR SHALL
INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$100,000 TO THE
DEPARTMENT TO BE USED TO:

(I) REIMBURSE EACH COUNTY BOARD FOR THE COSTS
REPORTED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) OTHERWISE ADMINISTER THE PILOT PROGRAM.

8-401.

(a) (1) In this subtitle the following words have the meanings indicated.

(5) "Special education" means specially designed instruction, at no cost to
parents, to meet the unique needs of a child with a disability, including:

(i) Instruction in the classroom, in the home, in hospitals and
institutions, and in other settings; and

(ii) Instruction in physical education.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2022. It shall remain effective for a period of 4 years and, at the end of June 30, 2026,
3 this Act, with no further action required by the General Assembly, shall be abrogated and
4 of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.