

HOUSE BILL 1089

F1, J1

1lr1644

By: **Delegate Acevero**

Introduced and read first time: February 5, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Expansion of Mental Health Services and**
3 **Prohibition of School Resource Officers**
4 **(Police-Free Schools Act)**

5 FOR the purpose of repealing certain provisions of law relating to the establishment of the
6 Baltimore City School Police Force; prohibiting a local school system from
7 contracting with certain law enforcement agencies for a certain purpose; prohibiting
8 a local school system from establishing its own police force; altering certain functions
9 and duties of the Maryland Center for School Safety to require the Center to analyze
10 certain data, certify certain law enforcement coverage, and submit a certain report;
11 altering a certain provision of law to require the School Safety Subcabinet to promote
12 interagency efforts in a certain manner; altering the requirements of a certain report
13 by the Subcabinet to include data collected on school security employees; altering the
14 membership of the School Safety Subcabinet Advisory Board; requiring the
15 President of the Senate and the Speaker of the House jointly to appoint a chair of
16 the Advisory Board; providing that a member appointed by the Governor or jointly
17 by the President of the Senate and Speaker of the House serves at the pleasure of
18 the appointing official or officials; requiring each local school system to designate a
19 security coordinator; altering the training required to be a school security employee
20 at a public school in the State; requiring the Center to collect certain data regarding
21 school security employees; altering the issues for which the Center, in collaboration
22 with local law enforcement agencies and local school systems, is required to develop
23 certain guidelines; altering the school years during which each local school system is
24 required to file a certain report; repealing a requirement that each local school
25 system post certain information on its website; requiring the Center to collect data
26 on all incidents of restraint by certain persons against a student under certain
27 circumstances; altering the fiscal years for which the Governor is required to include
28 in the annual budget bill a certain appropriation to the Safe Schools Fund to be used
29 for certain purposes related to expanding the availability of school-based mental
30 health services, restorative approaches, wraparound services, and trauma-informed
31 schools; requiring a local school system, to the extent practicable, to use certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



grants to contract with certain professionals who reflect the diversity of the student population of the local school system; requiring the grants to be distributed to each local school system based on a certain calculation; authorizing the Subcabinet to deny a local school system a certain grant if the local school system previously used grant funds for purposes outside the purposes of the grant; requiring the Subcabinet to adopt regulations establishing a process to withhold or reinstate certain grants; requiring each local school system that receives a certain grant to provide the Center with evidence of how external funding will be maximized to provide students with behavioral health and wraparound services; requiring each local school system, on or before a certain date each year, to submit a report to the Center that includes certain information; expanding the uses of the Safe Schools Fund; requiring the State Board of Education to adopt regulations to carry out this Act; altering the permissible uses for which the Fund is authorized to make grants; altering the fiscal years during which a certain amount of money in the Fund may be used for a certain purpose; requiring, in certain fiscal years, a certain amount of money in the Fund to be used for a certain purpose; repealing local law enforcement agencies from the entities to which the Subcabinet may make grants from the Fund and for which the Subcabinet is required to establish certain procedures; making conforming changes; defining certain terms; altering certain definitions; and generally relating to mental health services and school safety in public schools in the State.

BY repealing

Article – Education

Section 4–318

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Education

Section 7–126 and 7–1511.1

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–1501, 7–1502(g)(16) through (18), 7–1503(g)(2) and (h), 7–1504, 7–1508, 7–1512(e) through (h), and 26–102

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–1502(a), 7–1503(a), and 7–1512(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 4–314.1(a)
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

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

Article – Education

[4–318.

(a) In this section, “Baltimore City school police officer” means any person who, when acting in an official capacity, is authorized by law to make arrests and who is a member of the Baltimore City School Police Force.

(b) There is a Baltimore City School Police Force.

(c) The members of the Baltimore City School Police Force shall be employees of and be appointed by the Baltimore City Board of School Commissioners.

(d) (1) Except as provided in paragraph (3) of this subsection, a Baltimore City school police officer has all the powers of a law enforcement officer in the State.

(2) (i) A Baltimore City school police officer may act in an official capacity only on the premises of schools and any other property used for educational purposes owned, leased, or operated by, or under the control of the Baltimore City Board of School Commissioners.

(ii) A Baltimore City school police officer may not act in an official capacity on any other property unless:

1. Engaged in fresh pursuit of a suspected offender;
2. Requested or authorized to do so by the Police Commissioner of Baltimore City;
3. The exercise of power is necessary to facilitate the orderly flow of traffic to and from property owned, leased, operated by, or under the control of the Baltimore City School System; or
4. Ordered to do so by the Mayor of Baltimore City.

(3) (i) Notwithstanding any other provision of law, a Baltimore City school police officer whose permanent or temporary assignment is at a school or on school property may carry a firearm on the premises of the school to which the officer is assigned before or after regular school hours on school days and on days other than school days.

(ii) The Baltimore City Board of School Commissioners shall establish policies to implement the provisions of subparagraph (i) of this paragraph.

(e) (1) In consultation with the Maryland Police Training and Standards Commission, the Civil Service Commission of Baltimore City shall adopt:

(i) Requirements for education, training, human and public relations skills, and moral character that an applicant must meet to qualify for employment as a Baltimore City school police officer; and

(ii) Standards for the performance of duties.

(2) Any requirements adopted by the Civil Service Commission on or after July 1, 1991 may not affect the status of any individual who is a qualified Baltimore City school police officer on that date.

(f) The Baltimore City Board of School Commissioners shall adopt regulations governing the:

(1) Operation of the Baltimore City School Police Force; and

(2) Conduct of each Baltimore City school police officer.

(g) This section does not:

(1) Make a Baltimore City school police officer a member of the Baltimore City Police Department; or

(2) Affect the salary, benefits, or retirement program of an employee of Baltimore City or the Baltimore City Board of School Commissioners.

(h) Beginning July 1, 2017, and every 2 years thereafter, the Baltimore City School Police Force shall submit a report to the members of the Baltimore City Delegation to the General Assembly, in accordance with § 2–1257 of the State Government Article, on:

(1) The condition of vehicles and firearms of the Baltimore City School Police Force; and

(2) The anticipated needs of the Baltimore City School Police Force for vehicles and firearms for the following 2 years.]

7–126.

(A) A LOCAL SCHOOL SYSTEM MAY NOT CONTRACT WITH A CITY, COUNTY, OR STATE LAW ENFORCEMENT AGENCY TO STATION POLICE OFFICERS OR OTHER

1 LAW ENFORCEMENT PERSONNEL WITH ARREST AUTHORITY IN SCHOOLS OR ON
2 SCHOOL PROPERTY.

3 (B) A LOCAL SCHOOL SYSTEM MAY NOT ESTABLISH ITS OWN POLICE FORCE.
4 7–1501.

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

6 (b) “Advisory Board” means the School Safety Subcabinet Advisory Board.

7 (c) (1) “Behaviors of concern” means behaviors or threats that indicate a
8 student may pose a risk of self–harm or harm to others.

9 (2) “Behaviors of concern” includes:

10 (i) Expressions of hopelessness;

11 (ii) Known drug use;

12 (iii) Suicidal gestures or statements; and

13 (iv) Known gang activity.

14 (d) “Center” means the Maryland Center for School Safety.

15 (E) “COMMUNITY SCHOOL” HAS THE MEANING STATED IN § 9.9–101 OF THIS
16 ARTICLE.

17 [(e)] (F) “Drill” means a formalized exercise by which school system personnel,
18 staff, or students rehearse a school emergency plan.

19 [(f)] (G) “Fund” means the Safe Schools Fund.

20 [(g)] (H) “Local law enforcement agency” means:

21 (1) A police department of a county or municipal corporation in the State;
22 or

23 (2) A sheriff’s office that provides a law enforcement function in a county
24 or municipal corporation in the State.

25 (I) “RESTORATIVE APPROACHES” HAS THE MEANING STATED IN § 7–306 OF
26 THIS TITLE.

27 [(h)] (J) “Safety evaluation” means a written assessment of the safety conditions

in each public school, including ingress, egress, and access to areas of refuge for all students.

(K) “SCHOOL COUNSELOR” MEANS AN INDIVIDUAL WHO HAS BEEN CERTIFIED AS A SCHOOL COUNSELOR IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

[(i)] (L) “School emergency plan” means a plan for each local school system and each public school within the school system that addresses mitigation of, preparedness for, response to, and recovery from emergencies, including:

(1) Violent or traumatic events on school grounds during regular school hours or during school-sponsored activities; and

(2) Events in the community that affect school operations.

(M) “SCHOOL PSYCHOLOGIST” MEANS AN INDIVIDUAL WHO IS CERTIFIED TO PROVIDE PSYCHOLOGICAL SERVICES TO CHILDREN IN A PUBLIC OR STATE-APPROVED NONPUBLIC SCHOOL SETTING, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

[(j)] (N) “School resource officer” means:

(1) A law enforcement officer as defined under § 3–101(e) of the Public Safety Article who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under § 3–101(b) of the Public Safety Article and the local education agency; or

(2) A Baltimore City school police officer[, as defined in § 4–318 of this article].

[(k)] (O) “School security employee” means an individual, as defined in regulations adopted by the Subcabinet, who:

(1) Is not a school resource officer; [and]

(2) Is employed by a local school system to provide safety and security-related services at a public school;

(3) DOES NOT CARRY A FIREARM; AND

(4) DOES NOT HAVE THE AUTHORITY TO ARREST STUDENTS.

(P) “SCHOOL SOCIAL WORKER” MEANS AN INDIVIDUAL WHO IS LICENSED BY THE MARYLAND STATE BOARD OF SOCIAL WORK EXAMINERS AS:

(1) A MASTERS SOCIAL WORKER OR BACHELORS SOCIAL WORKER;

(2) A CERTIFIED SOCIAL WORKER; OR

(3) A CERTIFIED CLINICAL SOCIAL WORKER.

[(l)] (Q) “Subcabinet” means the School Safety Subcabinet.

(R) “TRAUMA-INFORMED SCHOOL” HAS THE MEANING STATED IN § 7-427.1
OF THIS TITLE.

[(m)] (S) “Wraparound services” means services provided to students, and their
families as appropriate, including:

(1) Mentoring;

(2) Tutoring;

(3) Child care services;

(4) Housing referrals;

(5) Transportation;

(6) Crisis intervention;

(7) Substance abuse prevention and treatment;

(8) Legal aid;

(9) Academic counseling; and

(10) Career counseling.

7-1502.

(a) There is a Maryland Center for School Safety.

(g) The Center shall perform the following functions and duties:

(16) Analyze data on school [resource officers] SECURITY EMPLOYEES and
develop guidelines and training for local school systems as required under § 7-1508 of this
subtitle;

(17) Certify [school safety coordinators] ADEQUATE LOCAL LAW

1 **ENFORCEMENT COVERAGE** as required under § 7–1508 of this subtitle;

2 (18) Submit to the General Assembly and the Governor a summary of
3 reports on school [resource officer] **SECURITY EMPLOYEE** and local law enforcement
4 agency coverage in public schools as required under § 7–1508 of this subtitle;

5 7–1503.

6 (a) There is a School Safety Subcabinet.

7 (g) The Subcabinet shall:

8 (2) In partnership with the Advisory Board and other stakeholders:

9 (i) Disseminate information on best practices, programs, and
10 resources;

11 (ii) Provide technical assistance and training to local jurisdictions
12 and local school systems;

13 (iii) Collaborate on collection, analysis, and integration of statewide
14 data; and

15 (iv) Promote interagency efforts that support safe schools for all
16 students, school staff, parents, and community members **IN A MANNER THAT MINIMIZES**
17 **SCHOOL EXCLUSION AND JUSTICE SYSTEM INVOLVEMENT FOR STUDENTS**;

18 (h) (1) The Subcabinet shall report to the Governor and, in accordance with §
19 2–1257 of the State Government Article, the General Assembly on or before December 15
20 each year.

21 (2) The report shall include:

22 (i) A list of all the activities of the Center, including aggregate data
23 on the information collected from each local school system under [§] §§ 7–1510 AND
24 **7–1511.1** of this subtitle;

25 (ii) An update on the current status and effectiveness of the Center;

26 (iii) Data collected on school [resource officers] **SECURITY**
27 **EMPLOYEES** under § 7–1508 of this subtitle; and

28 (iv) Recommendations made by the Subcabinet for improving school
29 and student safety.

30 7–1504.

(a) There is a School Safety Subcabinet Advisory Board.

(b) The Advisory Board shall include the following members:

(1) One member of the Senate of Maryland, appointed by the President of the Senate;

(2) One member of the House of Delegates, appointed by the Speaker of the House;

(3) A representative of local superintendents of schools, appointed by the Public School Superintendents' Association of Maryland;

(4) A representative of the Maryland Association of Boards of Education, appointed by the Association;

(5) A school psychologist [or licensed or clinical social worker], appointed by the State Superintendent;

(6) A LICENSED OR CLINICAL SOCIAL WORKER, APPOINTED BY THE STATE SUPERINTENDENT;

(7) A SCHOOL COUNSELOR, APPOINTED BY THE STATE SUPERINTENDENT;

(8) A RESTORATIVE APPROACHES PRACTITIONER, APPOINTED BY THE STATE SUPERINTENDENT;

(9) A BEHAVIORAL SPECIALIST, APPOINTED BY THE STATE SUPERINTENDENT;

(10) A COMMUNITY SCHOOL COORDINATOR, APPOINTED BY THE STATE SUPERINTENDENT;

(11) ONE REPRESENTATIVE FROM A TRAUMA-INFORMED SCHOOL, OR A SCHOOL WITH STRONG IMPLEMENTATION OF TRAUMA-INFORMED PRACTICES, APPOINTED BY THE STATE SUPERINTENDENT;

[(6)] (12) A special education administrator, appointed by the State Superintendent;

[(7)] (13) A classroom teacher, appointed jointly by the Maryland State Education Association and the Baltimore Teachers Union;

1 **[(8)] (14)** A school principal, appointed by the State Superintendent;

2 **[(9)] (15)** One representative of the Department of Human Services,
3 appointed by the Secretary of Human Services;

4 **[(10)] (16)** One representative of the Department of Juvenile Services,
5 appointed by the Secretary of Juvenile Services;

6 **[(11)] (17)** A school resource officer, appointed by the Maryland Association
7 of School Resource Officers;

8 **[(12)] (18)** A sheriff, appointed by the Maryland Sheriffs' Association;

9 **[(13)] (19)** A chief of police, appointed by the Maryland Chiefs of Police
10 Association, Inc.;

11 **[(14)] (20)** An emergency medical, fire, or rescue services professional,
12 appointed by the Maryland Institute for Emergency Medical Services Systems;

13 **[(15)] (21)** The Director of the Maryland Coordination and Analysis Center,
14 or the Director's designee;

15 **[(16)] (22)** One representative of the Maryland Assembly on School-Based
16 Health Care, appointed by the Assembly;

17 **[(17)] (23)** One representative of the Maryland Association of Student
18 Councils, appointed by the Association;

19 **[(18)] (24)** One representative of the Center for School Mental Health at the
20 University of Maryland, Baltimore Campus, appointed by the Center for School Mental
21 Health;

22 **[(19)] (25)** One representative of Disability Rights Maryland, appointed by
23 Disability Rights Maryland; [and]

24 **(26) ONE REPRESENTATIVE FROM A COMMUNITY MEDIATION GROUP,**
25 **APPOINTED BY COMMUNITY MEDIATION MARYLAND; AND**

26 **[(20)] (27)** The following [five] **SIX** members of the public, appointed by the
27 Governor:

28 (i) A parent of a public school student in the State;

29 (ii) A parent of a child with disabilities who attends a school in the
30 State;

1 **(III) A PUBLIC SCHOOL STUDENT IN THE STATE WHO HAS**
2 **EXPERIENCED SCHOOL-BASED ARREST, OR THE STUDENT'S PARENT;**

3 ~~[(iii)]~~ **(IV)** A representative of a nonpublic school in the State;

4 ~~[(iv)]~~ **(V)** A representative of school bus drivers; and

5 ~~[(v)]~~ **(VI)** A representative of a nonpublic special education school.

6 (c) The ~~[Governor]~~ **PRESIDENT OF THE SENATE AND THE SPEAKER OF THE**
7 **HOUSE JOINTLY** shall appoint a chair of the Advisory Board from among its members.

8 (d) A member appointed by the Governor **OR THE PRESIDENT OF THE SENATE**
9 **AND THE SPEAKER OF THE HOUSE:**

10 (1) Serves at the pleasure of the ~~[Governor]~~ **OFFICIAL OR OFFICIALS**
11 **WHO APPOINTED THE MEMBER;**

12 (2) Serves for a term of 3 years and until a successor is appointed and
13 qualifies; and

14 (3) May be reappointed but may not serve more than two consecutive
15 terms.

16 (e) A member of the Advisory Board:

17 (1) May not receive compensation as a member of the Advisory Board; but

18 (2) Is entitled to reimbursement for expenses under the Standard State
19 Travel Regulations, as provided in the State budget.

20 (f) The Advisory Board shall meet regularly at such times and places as it
21 determines.

22 (g) The Advisory Board shall provide the Subcabinet with advice and assist the
23 Subcabinet in completing its duties.

24 7-1508.

25 (a) (1) Each local school system shall designate a ~~[school safety]~~ **SECURITY**
26 coordinator.

27 (2) A designated ~~[school safety]~~ **SECURITY** coordinator shall:

28 (i) Be certified by the Center; and

(ii) Serve as a liaison between the local school system, the local law enforcement agency, and the Center.

(b) (1) (i) On or before September 1, [2018] **2021**, the Center, in consultation with local school systems, shall:

1. Develop a specialized curriculum for use in training of school [resource officers and school] security employees; and

2. Submit the curriculum to the Maryland Police Training and Standards Commission for approval.

(ii) The specialized curriculum developed under this subsection shall include training in:

1. De-escalation;

2. Disability awareness;

3. Maintaining a positive school climate;

4. Constructive interactions with students; and

5. Implicit bias and disability and diversity awareness with specific attention to racial and ethnic disparities.

(iii) 1. The specialized curriculum developed under this subsection may not go into effect until it is approved by the Maryland Police Training and Standards Commission.

2. If the Maryland Police Training and Standards Commission does not initially approve the specialized curriculum, the Center shall amend the curriculum until it meets with the Commission's approval.

(2) On or before March 1, [2019] **2022**, the Center shall develop and submit to the Maryland Police Training and Standards Commission for approval a model training program that meets the requirements of the curriculum approved under paragraph (1) of this subsection.

(3) [Each local law enforcement agency shall:

(i) Enroll individuals assigned to be school resource officers in the model training program developed by the Center under paragraph (2) of this subsection; or

(ii) 1. Submit to the Maryland Police Training and Standards Commission for approval a training program that is consistent with the curriculum developed under paragraph (1) of this subsection; and

2. Enroll individuals assigned to be school resource officers in the training program developed under item 1 of this item.

(4) Beginning September 1, [2019] **2022**, to be [assigned] **EMPLOYED** as a school [resource officer] **SECURITY EMPLOYEE AT A PUBLIC SCHOOL IN THE STATE**, an individual shall[:

(i) Complete:

1. The] **COMPLETE THE** model training program developed by the Center under paragraph (2) of this subsection through instruction provided by the Center in collaboration with the Maryland Police Training and Standards Commission[; or

2. A local law enforcement agency's training program developed under paragraph (3)(ii) of this subsection; and

(ii) Be certified by the Maryland Police Training and Standards Commission.

(5) Beginning September 1, 2019, to be employed as a school security employee at a public school, an individual shall complete:

(i) The model training program developed by the Center under paragraph (2) of this subsection through instruction provided by the Center in collaboration with the Maryland Police Training and Standards Commission; or

(ii) A local law enforcement agency's training program developed under paragraph (3)(ii) of this subsection].

(c) The Center shall collect data regarding the school [resource officers] **SECURITY EMPLOYEES** in each local school system, including:

(1) The number of full-time and part-time school [resource officers] **SECURITY EMPLOYEES** assigned to each elementary school, middle school, and high school; and

(2) Any other local school system employees or local law enforcement officers who are fulfilling the role of a school [resource officer] **SECURITY EMPLOYEE**.

(d) (1) On or before December 15, [2018] **2021**, the Center, in collaboration with local law enforcement agencies and local school systems, shall analyze the initial data collected under [subsection] **SUBSECTIONS (c) AND (G)** of this section and develop guidelines to assist local school systems in:

(i) Identifying [the appropriate number and assignment of school

resource officers, including supplemental coverage by local] **AND ADDRESSING ANY USE OF RESTRAINT OR FORCE BY A SCHOOL SECURITY EMPLOYEE OR BY law enforcement [agencies] OFFICERS CALLED TO A SCHOOL;** and

(ii) Collaborating and communicating with local law enforcement agencies **ON THE APPROPRIATE CIRCUMSTANCES DURING WHICH A SCHOOL EMPLOYEE SHOULD CONTACT LAW ENFORCEMENT.**

(2) On or before July 1, **[2019] 2022**, each local school system, in consultation with local law enforcement agencies, shall:

(i) Develop a plan to implement the guidelines developed by the Center; and

(ii) Submit the plan to the Center for review and comment.

(e) (1) Before the **[2018–2019] 2022–2023** school year begins, each local school system shall file a report with the Center identifying[:

(i) The public high schools in the local school system’s jurisdiction that have a school resource officer assigned to the school; and

(ii) If a public high school in the local school system’s jurisdiction is not assigned a school resource officer,] the adequate local law enforcement coverage that will be provided to **[the] EACH** public high school.

(2) Beginning with the **[2019–2020] 2022–2023** school year, and each school year thereafter, before the school year begins, each local school system shall, in accordance with the plan developed under subsection (d)(2) of this section, file a report identifying:

(i) The public schools in the local school system’s jurisdiction that have a school **[resource officer] SECURITY EMPLOYEE** assigned to the school; and

(ii) If a public school in the local school system’s jurisdiction is not assigned a school **[resource officer] SECURITY EMPLOYEE**, the adequate local law enforcement coverage that will be provided to the public school.

(3) On or before October 1, 2018, and each October 1 thereafter, the Center shall submit a summary of the reports required under this subsection to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

[(f) Each local school system shall post on the school system’s website information on the role and authority of school resource officers assigned to public schools within the school system.]

1 [(g)] (F) (1) For fiscal [year] YEARS 2020 [and each fiscal year thereafter]
2 **THROUGH 2022**, the Governor shall appropriate in the annual State budget \$10,000,000
3 to the Fund for the purpose of providing grants to local school systems and local law
4 enforcement agencies to assist in meeting the requirements of subsection (e) of this section.

5 (2) Grants provided under this subsection shall be made to each local
6 school system based on the number of schools in each school system in proportion to the
7 total number of public schools in the State in the prior year.

8 [(h)] (G) (1) The Center shall collect data on incidents of **RESTRAINT OR** use
9 of force [between] **BY**:

10 (i) [Any school resource officer and a student while a school resource
11 officer is carrying out the officer's duties; and

12 (ii)] Any school security employee [and] **AGAINST** a student while the
13 school security employee is carrying out the employee's duties; **AND**

14 **(II) ANY LAW ENFORCEMENT OFFICER WHO IS ON SCHOOL**
15 **GROUND AGAINST A STUDENT.**

16 (2) On or before December 1, 2020, and each December 1 thereafter, the
17 Center shall submit a report on the data collected under paragraph (1) of this subsection
18 for each jurisdiction, in accordance with federal and State law, to the Governor and, in
19 accordance with § 2-1257 of the State Government Article, the General Assembly.

20 **7-1511.1.**

21 **(A) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE**
22 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
23 **\$10,000,000 TO THE FUND FOR THE PURPOSE OF PROVIDING GRANTS TO LOCAL**
24 **SCHOOL SYSTEMS TO BE USED ONLY FOR:**

25 **(1) HIRING OR CONTRACTING WITH SCHOOL PSYCHOLOGISTS,**
26 **SCHOOL SOCIAL WORKERS, SCHOOL COUNSELORS, AND BEHAVIORAL SPECIALISTS**
27 **TO EXPAND THE AVAILABILITY OF SCHOOL-BASED MENTAL HEALTH SERVICES AND**
28 **BEHAVIORAL SUPPORTS FOR STUDENTS;**

29 **(2) HIRING OR CONTRACTING WITH RESTORATIVE APPROACHES**
30 **COORDINATORS AND EXPANDING RESTORATIVE APPROACHES PROGRAMMING IN**
31 **THE SCHOOL SYSTEM;**

32 **(3) HIRING OR CONTRACTING WITH COMMUNITY SCHOOL**
33 **COORDINATORS, DEVELOPING COMMUNITY SCHOOLS, AND PROVIDING**
34 **WRAPAROUND SERVICES IN THE SCHOOL SYSTEM; AND**

(4) DEVELOPING TRAUMA-INFORMED SCHOOLS IN THE SCHOOL SYSTEM.

(B) TO THE EXTENT PRACTICABLE, A LOCAL SCHOOL SYSTEM SHALL USE THE GRANTS PROVIDED UNDER THIS SECTION TO HIRE AND CONTRACT WITH PROFESSIONALS UNDER SUBSECTION (A) OF THIS SECTION WHO REFLECT THE DIVERSITY OF THE STUDENT POPULATION OF THE LOCAL SCHOOL SYSTEM.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE GRANTS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE MADE TO EACH LOCAL SCHOOL SYSTEM BASED ON THE NUMBER OF SCHOOLS IN EACH LOCAL SCHOOL SYSTEM IN PROPORTION TO THE TOTAL NUMBER OF PUBLIC SCHOOLS IN THE STATE IN THE IMMEDIATELY PRECEDING SCHOOL YEAR.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE SUBCABINET MAY DENY A LOCAL SCHOOL SYSTEM A GRANT IF THE LOCAL SCHOOL SYSTEM PREVIOUSLY USED GRANT FUNDS PROVIDED UNDER THIS SECTION FOR A PURPOSE OTHER THAN THE PURPOSES LISTED UNDER SUBSECTION (A) OF THIS SECTION.

(II) THE SUBCABINET SHALL ADOPT REGULATIONS ESTABLISHING A PROCESS TO WITHHOLD OR REINSTATE GRANT FUNDS UNDER THIS SECTION.

(D) EACH LOCAL SCHOOL SYSTEM THAT RECEIVES A GRANT UNDER SUBSECTION (A) OF THIS SECTION SHALL PROVIDE THE CENTER WITH EVIDENCE OF HOW EXTERNAL FUNDING WILL BE MAXIMIZED TO PROVIDE STUDENTS WITH BEHAVIORAL HEALTH AND WRAPAROUND SERVICES, INCLUDING THROUGH THE SUBMISSION OF CLAIMS TO HEALTH INSURANCE PLANS FOR ANY COVERED HEALTH SERVICES, IF APPLICABLE.

(E) ON OR BEFORE SEPTEMBER 1, 2021, AND EACH SEPTEMBER 1 THEREAFTER, EACH LOCAL SCHOOL SYSTEM SHALL SUBMIT A REPORT TO THE CENTER THAT INCLUDES:

(1) THE NUMBER OF INDIVIDUALS SERVING IN THE LOCAL SCHOOL SYSTEM AS:

(I) SCHOOL SOCIAL WORKERS;

(II) SCHOOL PSYCHOLOGISTS;

1 (III) SCHOOL COUNSELORS; AND

2 (IV) BEHAVIORAL SPECIALISTS;

3 (2) FOR EACH OF THE INDIVIDUALS LISTED UNDER ITEM (1) OF THIS
4 SUBSECTION, THE INDIVIDUAL'S:

5 (I) FULL-TIME EQUIVALENT STATUS;

6 (II) PRIMARY JOB DUTIES;

7 (III) SCHOOL ASSIGNMENTS; AND

8 (IV) STUDENT CASELOADS;

9 (3) A STATEMENT THAT:

10 (I) CONFIRMS THAT A LOCAL SCHOOL SYSTEM EMPLOYS A
11 SUFFICIENT NUMBER OF SCHOOL PSYCHOLOGISTS, SCHOOL SOCIAL WORKERS, AND
12 SCHOOL COUNSELORS TO SATISFY THE CASELOAD STANDARDS ESTABLISHED BY
13 THE NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS, THE NATIONAL
14 ASSOCIATION OF SOCIAL WORKERS, AND THE AMERICAN SCHOOL COUNSELOR
15 ASSOCIATION; OR

16 (II) PROVIDES A DESCRIPTION OF THE STEPS THAT THE LOCAL
17 SCHOOL SYSTEM HAS TAKEN DURING THE IMMEDIATELY PRECEDING FISCAL YEAR
18 TO ACHIEVE PROGRESS TOWARD SATISFYING THE CASELOAD STANDARDS AND
19 OTHERWISE ADDRESS THE STUDENT MENTAL HEALTH AND BEHAVIORAL SUPPORT
20 NEEDS OF ITS STUDENT POPULATION;

21 (4) (I) THE NUMBER OF COMMUNITY SCHOOLS IN THE LOCAL
22 SCHOOL SYSTEM;

23 (II) THE NUMBER OF STUDENTS AND PARENTS THAT THE
24 COMMUNITY SCHOOLS SERVE; AND

25 (III) ANY STEPS THE LOCAL SCHOOL SYSTEM HAS TAKEN IN THE
26 IMMEDIATELY PRECEDING SCHOOL YEAR TO EXPAND ITS NUMBER OF COMMUNITY
27 SCHOOLS;

28 (5) (I) THE NUMBER OF TRAUMA-INFORMED SCHOOLS IN THE
29 LOCAL SCHOOL SYSTEM;

(II) THE NUMBER OF STUDENTS AND PARENTS THAT THE TRAUMA-INFORMED SCHOOLS SERVE;

(III) A DESCRIPTION OF THE TRAUMA-INFORMED PRACTICES USED IN ALL SCHOOLS IN THE LOCAL SCHOOL SYSTEM, INCLUDING TRAUMA-INFORMED SCHOOLS; AND

(IV) ANY STEPS THE LOCAL SCHOOL SYSTEM HAS TAKEN IN THE IMMEDIATELY PRECEDING SCHOOL YEAR TO EXPAND ITS NUMBER OF TRAUMA-INFORMED SCHOOLS;

(6) A DESCRIPTION OF HOW THE LOCAL SCHOOL SYSTEM USED ANY GRANT FUNDS RECEIVED UNDER THIS SECTION IN THE IMMEDIATELY PRECEDING SCHOOL YEAR, INCLUDING HIRING AND CONTRACTING WITH PROFESSIONALS IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION;

(7) A DESCRIPTION OF THE RESTORATIVE APPROACHES PROGRAMMING THAT THE LOCAL SCHOOL SYSTEM OFFERS; AND

(8) A DESCRIPTION OF THE WRAPAROUND SERVICES OFFERED TO STUDENTS AT EACH SCHOOL IN THE LOCAL SCHOOL SYSTEM.

(F) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

7-1512.

(a) There is a Safe Schools Fund.

(e) The Fund consists of:

(1) Money credited to the Fund under § 17-106(e) of the Transportation Article;

(2) Money appropriated in the State budget to the Fund;

(3) Money appropriated to the Fund under [§] §§ 7-1508 AND 7-1511.1 of this subtitle;

(4) Money from any other source accepted for the benefit of the Fund; and

(5) Any interest earnings of the Fund.

(f) Except as provided in subsection (g) of this section, the Fund may be used only to provide grants to local school systems to enhance school safety, including:

(1) Conducting training for students and school personnel on de-escalation of situations and identifying and reporting behaviors of concern;

(2) Conducting training of assessment teams;

(3) Conducting school safety evaluations;

(4) Establishing formal and anonymous mechanisms for reporting safety concerns;

[(5) Reimbursing local law enforcement agencies for school resource officer training provided by the Center;]

[(6)] (5) Enrolling school security employees in training provided by the Center;

[(7)] (6) [Developing plans to deliver school-based behavioral health and other wraparound services to students who exhibit behaviors of concern, including establishing systems to maximize external funding for services] **PROVIDING MENTAL HEALTH SERVICES, WRAPAROUND SERVICES, AND BEHAVIORAL SUPPORT;**

(7) DEVELOPING TRAUMA-INFORMED SCHOOLS;

(8) IMPLEMENTING RESTORATIVE APPROACHES IN ACCORDANCE WITH § 7-1511.1 OF THIS SUBTITLE;

[(8)] (9) Outreach to the broader school community to improve school safety, including to heighten awareness of existing mental health services and other services;

[(9)] (10) Providing information to students and parents on traveling safely to and from school, including data related to bus and pedestrian safety, strategies for ensuring personal safety, efforts of the local school system to improve safety, and information on available options for reporting incidents and concerns; and

[(10)] (11) Assisting local school systems to improve and monitor traffic control measures in the immediate vicinity of schools to reduce the potential for pedestrian and vehicle accidents.

(g) (1) [Beginning in] **FOR** fiscal [year] **YEARS** 2020 [and each fiscal year thereafter] **THROUGH 2022**, at least \$10,000,000 of the money in the Fund shall be used to provide grants to local school systems and local law enforcement agencies as provided under § 7-1508 of this subtitle.

(2) BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR

1 **THEREAFTER, AT LEAST \$10,000,000 OF THE MONEY IN THE FUND SHALL BE USED**
2 **TO PROVIDE GRANTS TO LOCAL SCHOOL SYSTEMS AS PROVIDED UNDER § 7-1511.1**
3 **OF THIS SUBTITLE.**

4 (h) (1) The Subcabinet may make grants to local school systems [and local law
5 enforcement agencies] from the Fund.

6 (2) The Subcabinet shall establish procedures for local school systems [and
7 local law enforcement agencies] to apply for grants from the Fund.

8 26-102.

9 (a) [In this section, “school resource officer” means a law enforcement officer as
10 defined under § 3-101(e) of the Public Safety Article who has been assigned to a school in
11 accordance with a memorandum of understanding between the chief of a law enforcement
12 agency as defined under § 3-101(b) of the Public Safety Article and the local education
13 agency.

14 (b)] The governing board, president, superintendent, **OR** principal[, or school
15 resource officer] of any public institution of elementary, secondary, or higher education, or
16 a person designated in writing by the board or any of these persons, may deny access to the
17 buildings or grounds of the institution to any other person who:

18 (1) Is not a bona fide, currently registered student, or staff or faculty
19 member at the institution, and who does not have lawful business to pursue at the
20 institution;

21 (2) Is a bona fide, currently registered student at the institution and has
22 been suspended or expelled from the institution, for the duration of the suspension or
23 expulsion; or

24 (3) Acts in a manner that disrupts or disturbs the normal educational
25 functions of the institution.

26 [(c)] **(B)** Administrative personnel, authorized employees of any public
27 institution of elementary, secondary, or higher education, and persons designated in
28 subsection [(b)] **(A)** of this section may demand identification and evidence of qualification
29 from any person who desires to use or enter the premises of the institution.

30 [(d)] **(C)** The governing board of any public institution of elementary, secondary,
31 or higher education may enter into an agreement with appropriate law enforcement
32 agencies to carry out the responsibilities of this section when:

33 (1) The institution is closed; or

34 (2) None of the persons designated in subsection [(b)] **(A)** of this section are

present in the buildings or on the grounds of the institution.

[(e)] (D) A person is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000, imprisonment not exceeding 6 months, or both if he:

(1) Trespasses on the grounds of any public institution of elementary, secondary, or higher education;

(2) Fails or refuses to leave the grounds of any of these institutions after being requested to do so by a person designated in subsection **[(b)] (A)** of this section as being authorized to deny access to the buildings or grounds of the institution; or

(3) Willfully damages or defaces any building, furnishing, statue, monument, memorial, tree, shrub, grass, or flower on the grounds of any of these institutions.

Article – General Provisions

4–314.1.

(a) Except as provided in subsection (b) of this section, a custodian shall deny inspection of any record disclosing:

(1) a safety evaluation or school emergency plan developed under § 7–1510 of the Education Article;

(2) an emergency response policy developed under § 7–1509 of the Education Article and § 3–520 of the Public Safety Article;

(3) guidelines for **[school resource officers and]** supplemental coverage by local law enforcement agencies developed by the Maryland Center for School Safety under § 7–1508 of the Education Article; or

(4) a plan to implement the Maryland Center for School Safety’s guidelines adopted by a local school system under § 7–1508 of the Education Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.