

HOUSE BILL 23

F1

2lr1210

HB 171/21 – W&M

(PRE-FILED)

By: **Delegate Washington**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **School Discipline – Data Collection and School Resource Officers**

3 FOR the purpose of requiring the State Department of Education to disaggregate certain
4 discipline-related data in an electronic spreadsheet format for the Department's
5 website, make the data available to the public, and report certain discipline-related
6 information each year; requiring the Department to lower a risk ratio used to identify
7 a school's disproportional disciplinary practices and report disproportionality data
8 for high-suspending schools; prohibiting a school resource officer from unilaterally
9 enforcing discipline-related policies, rules, regulations, or procedures; and generally
10 relating to school discipline of students.

11 BY renumbering

12 Article – Education

13 Section 7–306(f) and 7–1508(b), (c), (f), and (h), respectively

14 to be Section 7–306(h) and 7–1508(c), (d), (g), and (i), respectively

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Education

19 Section 7–306(b) and 7–1508(a)

20 Annotated Code of Maryland

21 (2018 Replacement Volume and 2021 Supplement)

22 BY adding to

23 Article – Education

24 Section 7–306(f) and (g) and 7–1508(b)

25 Annotated Code of Maryland

26 (2018 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,
Article – Education
Section 7–1508(d), (e), and (g)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 7–306(f) and 7–1508(b), (c), (f), and (h), respectively, of Article – Education
of the Annotated Code of Maryland be renumbered to be Section(s) 7–306(h) and 7–1508(c),
(d), (g), and (i), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Education

7–306.

(b) Notwithstanding any bylaw, rule, or regulation made or approved by the State
Board, a principal, vice principal, or other employee may not administer corporal
punishment to discipline a student in a public school in the State.

**(F) (1) THE DEPARTMENT SHALL MAKE PUBLIC IN AN ACCESSIBLE AND
DISAGGREGATED ELECTRONIC SPREADSHEET FORMAT ALL DISCIPLINE-RELATED
DATA AS A DATA DOWNLOAD ON THE DEPARTMENT’S WEBSITE AT THE STATE LEVEL,
LOCAL SCHOOL SYSTEM LEVEL, AND SCHOOL LEVEL.**

**(2) FOR ALL DATA MADE PUBLIC UNDER PARAGRAPH (1) OF THIS
SUBSECTION, THE DEPARTMENT SHALL INCLUDE ON THE DEPARTMENT’S WEBSITE
DATA, DISAGGREGATED BY GRADE LEVEL, ON RACE, ETHNICITY, DISABILITY
STATUS, INCLUDING A STUDENT’S 504 PLAN OR INDIVIDUALIZED EDUCATION
PROGRAM, SOCIOECONOMIC STATUS, AND GENDER, RELATED TO ANY
DISPROPORTIONAL DISCIPLINARY PRACTICES OF:**

(I) A LOCAL SCHOOL SYSTEM; OR

(II) A PUBLIC SCHOOL.

**(3) ON OR BEFORE AUGUST 1, 2023, AND EACH AUGUST 1
THEREAFTER, THE DEPARTMENT SHALL REPORT ON THE DATA GATHERED UNDER
THIS SUBSECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE
STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

**(G) (1) IN THIS SUBSECTION, “HIGH-SUSPENDING” INCLUDES THE
FOLLOWING SCHOOLS THAT SUSPEND STUDENTS IN EACH SUBGROUP**

1 DISAGGREGATED BY RACE, ETHNICITY, DISABILITY STATUS, AND ENGLISH
2 LANGUAGE PROFICIENCY:

3 (I) AN ELEMENTARY SCHOOL THAT SUSPENDS 10% OR MORE
4 OF ITS STUDENTS IN EACH SUBGROUP; AND

5 (II) A SECONDARY SCHOOL THAT SUSPENDS 25% OR MORE OF
6 ITS STUDENTS IN EACH SUBGROUP.

7 (2) THE DEPARTMENT SHALL LOWER THE RISK RATIO AND STATE
8 COMPARISON THRESHOLD USED FOR IDENTIFYING ACTION UNDER THE FEDERAL
9 REGULATIONS IMPLEMENTING THE FEDERAL INDIVIDUALS WITH DISABILITIES
10 EDUCATION ACT FOR SCHOOLS WITH HIGH DISPROPORTIONALITY FROM 3.0 TO 2.0.

11 (3) THE DEPARTMENT SHALL:

12 (I) REPORT THE DISPROPORTIONALITY DATA FOR ANY
13 SCHOOL IDENTIFIED AS HIGH-SUSPENDING; AND

14 (II) INCLUDE ALTERNATIVE SCHOOLS AND PROGRAMS AND
15 PUBLIC SEPARATE DAY SCHOOLS IN ANY CALCULATION OF DISPROPORTIONALITY
16 DATA UNDER THIS PARAGRAPH.

17 7-1508.

18 (a) (1) Each local school system shall designate a school safety coordinator.

19 (2) A designated school safety coordinator shall:

20 (i) Be certified by the Center; and

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

23 (B) A SCHOOL RESOURCE OFFICER MAY NOT UNILATERALLY ENFORCE
24 DISCIPLINE-RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR PROCEDURES.

25 [(d)] (E) (1) On or before December 15, 2018, the Center, in collaboration
26 with local law enforcement agencies and local school systems, shall analyze the initial data
27 collected under subsection [(c)] (D) of this section and develop guidelines to assist local
28 school systems in:

29 (i) Identifying the appropriate number and assignment of school
30 resource officers, including supplemental coverage by local law enforcement agencies; and

(ii) Collaborating and communicating with local law enforcement agencies.

(2) On or before July 1, 2019, 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)] (F) (1) Before the 2018–2019 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 public high school.

(2) Beginning with the 2019–2020 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)] (E)(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 assigned to the school; and

(ii) If a public 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 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.

[(g)] (H) (1) For fiscal year 2020 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of \$10,000,000 to the Fund for the purpose of providing grants to local school systems and local law enforcement agencies to assist in meeting the requirements of subsection **[(e)] (F)** of this section.

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

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.