

SENATE BILL 756

F1, E4
SB 938/23 – EEE

4lr2493

By: **Senator Hester**

Introduced and read first time: February 1, 2024

Assigned to: Education, Energy, and the Environment and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – School Safety and Student Well-Being**
3 **– Examination of Policies and Funding**

4 FOR the purpose of requiring a certain emergency plan to include the implementation of
5 certain guidelines; requiring the Maryland Center for School Safety, the State
6 Department of Education, and the Interagency Commission on School Construction
7 jointly to review and promulgate guidelines on the state of physical security in
8 schools; altering the amount and uses of annual funding relating to school safety;
9 requiring the Maryland Center for School Safety to contract with an independent
10 third party to ensure that the Maryland Center for School Safety is adequately
11 performing its functions and duties; requiring the Department, in consultation with
12 the Maryland Center for School Safety and the Maryland Longitudinal Data Systems
13 Center, to analyze policies on school safety and student well-being during a certain
14 period of time; and generally relating to the safety and well-being of students in
15 public schools.

16 BY repealing and reenacting, without amendments,
17 Article – Education
18 Section 7–1502(a) and (g)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 7–1508(g), 7–1510, and 7–1512
24 Annotated Code of Maryland
25 (2022 Replacement Volume and 2023 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

7–1502.

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

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

(1) Provide technical assistance and consultation to local school systems, State and local government, and community organizations on best practices for safe schools and violence prevention;

(2) Develop a website containing a searchable database of definitive research, books, videos, white papers, speakers, websites, and other school safety resources;

(3) Develop criteria that may be applied consistently and uniformly in local school systems for coding unsafe incidents and serious or violent offenses;

(4) Research and recommend the use of common assessment tools to be used to identify specific problems and needs of schools and neighborhoods to facilitate intervention before assessed findings become problematic;

(5) Assist local school systems to conduct a thorough assessment of their school safety data, school building layouts, and use of human resources for monitoring purposes to determine the need for:

(i) Surveillance and other security technology; and

(ii) Innovations to maximize the use of human resources to monitor activity and influence positive relationship building;

(6) Maintain and maximize relationships with emergency responders, law enforcement personnel, parents, and other emergency preparedness stakeholders to ensure seamless execution in an emergency event, including:

(i) Consolidate resources among stakeholders to maximize support and secure necessary skills to ensure emergency plan implementation;

(ii) Conduct collaborative training and preparation exercises; and

(iii) Identify improvements and ensure nonduplication of effort in emergency response procedures;

(7) Provide safety information on traveling to and from school to parents and students twice a year that includes data related to bus and pedestrian safety, strategies for ensuring personal safety, efforts of the local school system or school to improve safety, and information on the available options for reporting incidents or concerns;

1 (8) Utilize and update an existing clearinghouse of law enforcement
2 resources that are available to support school safety to ensure that it includes information
3 regarding the purpose and process for accessing available funding;

4 (9) Assist local school systems to improve and monitor traffic control
5 measures in the immediate vicinity of schools to reduce the potential for pedestrian and
6 vehicle accidents;

7 (10) Assist the Department to evaluate and update current data systems to
8 ensure they are best suited for providing useful information on school safety issues;

9 (11) Assist local school systems to monitor local school system and
10 individual school behavior data to ensure fairness in the application of consequences for
11 student misbehavior;

12 (12) Assist the Department and local school systems:

13 (i) To prepare an annual report that combines multiple school safety
14 data systems into one format for public review; and

15 (ii) To incorporate new data points into existing data collection
16 systems;

17 (13) Assist in the development of safety and security criteria for the design
18 and operation of school facilities;

19 (14) Assist local school systems to identify resources and implement training
20 for students and parents about relationship violence, identifying the signs of unhealthy
21 relationships, and preventing relationship violence;

22 (15) Provide technical assistance to local school systems in the review of
23 safety and security audits and the implementation of improvements in school facilities;

24 (16) Analyze data on school resource officers and develop guidelines and
25 training for local school systems as required under § 7–1508 of this subtitle;

26 (17) Certify school safety coordinators as required under § 7–1508 of this
27 subtitle;

28 (18) Submit to the General Assembly and the Governor a summary of
29 reports on school resource officer and local law enforcement agency coverage in public
30 schools as required under § 7–1508 of this subtitle;

31 (19) Consult with local school systems on safety evaluations developed
32 under § 7–1510 of this subtitle;

(20) Review and comment on school emergency plans developed under § 7–1510 of this subtitle; and

(21) Report to the General Assembly and the Governor on life-threatening incidents as required under § 7–1510 of this subtitle.

7–1508.

(g) (1) For [fiscal year 2020 and each fiscal year thereafter] **EACH OF FISCAL YEARS 2020 THROUGH 2025**, 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) 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.

7–1510.

(a) On or before June 15, 2019, and regularly thereafter, each local school system shall conduct a safety evaluation of each public school under the local school system's jurisdiction to:

(1) Identify and, if necessary, develop solutions for physical safety concerns, including issues with building security; and

(2) Identify and evaluate any patterns of safety concerns on school property or at school-sponsored events.

(b) In performing the safety evaluations, each designated safety coordinator shall:

(1) Consult with the Center for guidance;

(2) Coordinate with the Interagency Commission on School Construction's facility assessment process, established under § 5–310 of this article in identifying issues with public school facilities that could impact school safety; and

(3) Submit a summary of the completed safety evaluations to the Center.

(c) On or before December 1, 2019, the Department, in consultation with the Center and local school systems, shall update the Emergency Planning Guidelines for Local School Systems and Schools to accommodate the findings made in the initial safety evaluations under subsection (a) of this section.

(d) On or before August 1, 2020, and regularly thereafter, each local school system shall update the school emergency plan for each public school in the school system's

1 jurisdiction to:

2 (1) Include detailed plans for the manner in which each public school will
3 address:

4 (i) Behavioral threats;

5 (ii) Emergency events; and

6 (iii) Accommodations for students with disabilities in emergency
7 events;

8 (2) Conform with the Emergency Planning Guidelines updated under
9 subsection (c) of this section; and

10 (3) Incorporate any changes required under subsection (f) of this section.

11 (e) Each local school system shall submit the plans updated under subsection (d)
12 of this section to the Center for review and comment.

13 (f) (1) On or before August 1, 2020, and each August 1 thereafter, each local
14 school system shall submit a report to the Center that includes, for the immediately
15 preceding school year:

16 (i) Aggregate data about threats made against any school or school
17 system facility;

18 (ii) Information about any school lockdowns, evacuations, or other
19 emergency responses that occurred;

20 (iii) Incidents in which a public school's emergency plan failed in part
21 or in whole to function as anticipated in an emergency or an emergency drill; and

22 (iv) School hours spent in an emergency or an emergency drill.

23 (2) Each local school system shall, in consultation with the Center, update
24 each emergency plan to correct weaknesses identified under paragraph (1) of this
25 subsection **AND TO IMPLEMENT THE GUIDELINES ESTABLISHED UNDER SUBSECTION**
26 **(H) OF THIS SECTION.**

27 (g) (1) Each local school system shall promptly inform the Center of any
28 critical, life-threatening incidents that occur on school grounds.

29 (2) (i) After informing the Center under this subsection, a local school
30 system shall host an after-action review and evaluation of lessons learned from the event.

31 (ii) The local school system shall invite the Center, local law

enforcement agencies, and emergency responders to participate in the after–action review and evaluation required under this paragraph.

(iii) A local school system shall file a report on the after–action review and evaluation with the Center.

(3) (i) The Center shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly within 45 days after a local school system has filed a report on the after–action review and evaluation under paragraph (2)(iii) of this subsection.

(ii) The Center shall include in the report filed under this paragraph:

1. Lessons learned from the life–threatening incident; and

2. Any recommendations for improving school safety.

(H) (1) ON OR BEFORE JULY 1, 2025, AND EVERY 2 YEARS THEREAFTER, THE CENTER, THE DEPARTMENT, AND THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION JOINTLY SHALL REVIEW THE STATE OF PHYSICAL SECURITY IN SCHOOLS AND THE EXISTING GUIDELINES ON SCHOOL SAFETY.

(2) IN PERFORMING THEIR JOINT REVIEW, THE CENTER, THE DEPARTMENT, AND THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL MAKE USE OF THE LOCAL SCHOOL SYSTEM REPORTS REQUIRED UNDER SUBSECTION (G)(1) AND (2) OF THIS SECTION.

(3) AFTER CONDUCTING THE JOINT REVIEW, THE CENTER, THE DEPARTMENT, AND THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION JOINTLY SHALL PROMULGATE GUIDELINES FOR SCHOOL SECURITY DESIGNED TO MAXIMIZE SCHOOL SAFETY AND MINIMIZE IMPEDIMENTS TO STUDENTS AND STAFF.

7–1512.

(a) There is a Safe Schools Fund.

(b) The purpose of the Fund is to provide grants to local school systems to enhance school safety.

(c) The Subcabinet shall administer the Fund.

(d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund in conjunction with the Executive Director of the Center.

(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 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) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$20,000,000 TO THE FUND.

[(f)] (G) [Except as provided in subsection (g) of this section, the] **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) Enrolling school security employees in training provided by the Center;
- (7) 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;
- (8) Outreach to the broader school community to improve school safety, including to heighten awareness of existing mental health services and other services;
- (9) 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) 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;

(11) PROVIDING GRANTS TO DEVELOP SERVICES FOR RESOLVING STUDENT DISPUTES THROUGH A MEDIATION PROCESS;

(12) GIVING GRANTS TO PROVIDE LOCAL SCHOOL SYSTEMS WITH A SCHOOL RESOURCE OFFICER OR ADEQUATE LOCAL LAW ENFORCEMENT COVERAGE IN ACCORDANCE WITH A LOCAL SCHOOL SYSTEM'S COVERAGE PLAN, AS REQUIRED BY § 7-1508 OF THIS SUBTITLE;

(13) CONDUCTING EMERGENCY PREPAREDNESS RELATED ACTIVITIES UNDER §§ 7-1509 AND 7-1510 OF THIS SUBTITLE;

(14) IMPLEMENTING RECOMMENDATIONS IDENTIFIED AFTER AN EVALUATION CONDUCTED UNDER § 7-1510(G)(3) OF THIS SUBTITLE; AND

(15) CONDUCTING PROGRAM EVALUATIONS OF LOCAL SCHOOL SAFETY EFFORTS.

[(g) Beginning in fiscal year 2020 and each fiscal year thereafter, 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.]

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

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

(i) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(j) Expenditures from the Fund may only be made:

(1) in accordance with the State budget; or

(2) by the budget amendment procedure as provided in § 7-209 of the State Finance and Procurement Article, if at least 45 days have passed since the budget amendment and supporting information were submitted to the budget committees for their

1 review and comment.

2 (k) Money expended from the Fund by local school systems to enhance school
3 safety is supplemental to and is not intended to take the place of funding that otherwise
4 would be appropriated to local school systems.

5 SECTION 2. AND BE IT FURTHER ENACTED, That:

6 (a) On or before December 1, 2025, the Maryland Center for School Safety shall
7 contract with an independent third party to ensure that the Center is adequately
8 performing the functions and duties under Title 7, Subtitle 15 of the Education Article.

9 (b) (1) On or before December 1, 2026, the independent third party shall
10 provide the Center with its assessment.

11 (2) The independent third party's assessment shall include an in-depth
12 analysis of each of the Center's functions and duties, any areas in which the Center is
13 failing to achieve its functions and duties, and recommended changes necessary to achieve
14 success.

15 (c) On or before January 15, 2027, the Center shall report the results of the
16 independent third party's study to the Governor and, in accordance with § 2-1257 of the
17 State Government Article, the General Assembly.

18 (d) The Governor shall include an appropriation of \$200,000 in the fiscal year
19 2026 budget to carry out the provisions of this section.

20 SECTION 3. AND BE IT FURTHER ENACTED, That:

21 (a) The State Department of Education, in consultation with the Maryland
22 Center for School Safety and the Maryland Longitudinal Data Systems Center, shall
23 provide an analysis of the effect State and local policies in place from the 2017–2018 school
24 year through the 2023–2024 school year had on school safety and student well-being.

25 (b) The analysis shall make use of school data collected on:

26 (1) bullying, harassment, or intimidation instances;

27 (2) disciplinary actions taken against students;

28 (3) school-based arrests of students;

29 (4) behavioral threat assessments conducted in schools;

30 (5) student drug overdoses and whether they were fatal;

31 (6) the initiation of suicide prevention protocols for students and instances

1 of student suicide; and

2 (7) weapons recovered on school grounds.

3 (c) The analysis shall include, consistent with State and federal privacy law,
4 information on the outcomes listed under subsection (b) of this section, disaggregated by:

5 (1) the type of school involved in the incident;

6 (2) if applicable, a student's race;

7 (3) if applicable, a student's sex;

8 (4) if applicable, a student's gender; and

9 (5) if applicable, a student's ethnicity.

10 (d) The analysis shall examine which State and local policies improved student
11 safety and well-being, as measured by the outcomes listed in subsection (b) of this section,
12 and recommendations for reproducing or expanding those policies.

13 (e) On or before July 1, 2025, the Department shall report to the Governor and,
14 in accordance with § 2-1257 of the State Government Article, the General Assembly on the
15 results of its analysis.

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2024.