

HOUSE BILL 495

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By: Delegates Kaufman, Bagnall, Cardin, Conaway, Edelson, Feldmark,
A. Johnson, Lehman, Lopez, Patterson, Pena-Melnyk, Phillips, Queen,
Roberson, Rosenberg, Ruff, Schindler, Shetty, Simpson, Solomon, Spiegel,
Williams, Wims, Woods, and Woorman

Introduced and read first time: January 20, 2025

Assigned to: Ways and Means and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Antidiscrimination Policies – Policy and Notice Requirements**

3 FOR the purpose of requiring certain schools that have an antidiscrimination policy to
4 ensure that the policy includes certain information and is available to certain
5 individuals in a certain manner; requiring a school to provide a certain training or
6 program regarding antidiscrimination policies to students and employees in a
7 certain manner; and generally relating to policy and notice requirements for school
8 antidiscrimination policies.

9 BY adding to
10 Article – Education
11 Section 26–706
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

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

16 **Article – Education**

17 **26–706.**

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

20 (2) “ANTIDISCRIMINATION POLICY” MEANS ANY POLICY,
21 PROCEDURE, PROTOCOL, OR GUIDELINE REGARDING EITHER OF THE FOLLOWING

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



TOPICS REGULATING INCIDENTS THAT OCCUR ON SCHOOL PREMISES, ON SCHOOL
TRANSPORTATION, OR AT A SCHOOL-SPONSORED, OFF-CAMPUS EVENT:

(I) BULLYING OR HARASSMENT BASED ON RACE, ETHNICITY,
COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN, MARITAL STATUS, SEXUAL
ORIENTATION, GENDER IDENTITY, DISABILITY, OR ANY OTHER PROTECTED STATUS;
OR

(II) SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING
VIOLENCE, OR STALKING.

(3) "FREQUENTLY ENCOUNTERED LANGUAGE" MEANS A LANGUAGE
THAT IS THE PRIMARY LANGUAGE SPOKEN BY:

(I) AT LEAST 5% OF THE POPULATION OF OVERALL STUDENTS
AND EMPLOYEES IN A SCHOOL; OR

(II) AT LEAST 5% OF THE POPULATION OF THE COUNTY OR AT
LEAST 1,000 PEOPLE IN THE COUNTY IN WHICH A SCHOOL IS LOCATED.

(4) "SCHOOL" MEANS:

(I) A PREKINDERGARTEN PROGRAM THAT RECEIVES STATE
FUNDING;

(II) A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY
SCHOOL; AND

(III) AN INSTITUTION OF POSTSECONDARY EDUCATION.

(B) A SCHOOL THAT HAS ADOPTED AN ANTIDISCRIMINATION POLICY SHALL
ENSURE THAT THE POLICY INCLUDES THE FOLLOWING INFORMATION:

(1) REPORTING OPTIONS FOR AN ALLEGED VICTIM OF SEXUAL
VIOLENCE OR ANY SEX-BASED CRIMINAL OFFENSE;

(2) A POINT OF CONTACT FOR THE SCHOOL WITH AN ACTIVELY
MONITORED E-MAIL ADDRESS AND TELEPHONE NUMBER;

(3) A DESCRIPTION OF THE SCHOOL'S INVESTIGATION PROCESS AND
DISCIPLINARY PROCEEDINGS;

1 (4) A DESCRIPTION OF THE CRIMINAL JUSTICE SYSTEM'S
2 INVESTIGATION AND ADJUDICATION PROCESS;

3 (5) POTENTIAL REASONABLE ACCOMMODATIONS THAT THE SCHOOL
4 MAY PROVIDE TO AN ALLEGED VICTIM;

5 (6) THE TELEPHONE NUMBER AND WEBSITE ADDRESS FOR THE
6 LOCAL, STATE, OR NATIONAL HOTLINE PROVIDING INFORMATION TO VICTIMS OF
7 SEXUAL VIOLENCE, THAT IS UPDATED PERIODICALLY; AND

8 (7) THE NAME AND LOCATION OF THE NEAREST MEDICAL FACILITY
9 WHERE AN INDIVIDUAL MAY HAVE A RAPE KIT ADMINISTERED BY A PROFESSIONAL
10 TRAINED IN SEXUAL ASSAULT FORENSIC MEDICAL EXAMINATION AND EVIDENCE
11 COLLECTION, INCLUDING AVAILABLE TRANSPORTATION OPTIONS AND FINANCIAL
12 RESOURCES.

13 (c) A SCHOOL'S ANTIDISCRIMINATION POLICY SHALL BE:

14 (1) WRITTEN IN PLAIN LANGUAGE THAT IS EASY TO UNDERSTAND
15 AND AGE APPROPRIATE;

16 (2) PRINTED IN A COLOR, SIZE, AND FONT THAT ENHANCES
17 READABILITY;

18 (3) AVAILABLE IN FREQUENTLY ENCOUNTERED LANGUAGES;

19 (4) AVAILABLE, BY REQUEST, THROUGH ORAL INTERPRETATION IN
20 LESS FREQUENTLY ENCOUNTERED LANGUAGES, TO ENSURE TIMELY AND
21 MEANINGFUL ACCESS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY;
22 AND

23 (5) COMPLIANT WITH THE FEDERAL AMERICANS WITH DISABILITIES
24 ACT.

25 (d) A SCHOOL THAT HAS ADOPTED AN ANTIDISCRIMINATION POLICY SHALL
26 MAKE THE ANTIDISCRIMINATION POLICY AVAILABLE TO STUDENTS, EMPLOYEES,
27 VOLUNTEERS, AND PARENTS OR GUARDIANS BY:

28 (1) (i) INCLUDING THE ANTIDISCRIMINATION POLICY IN ANY
29 HANDBOOK OR OTHER PUBLICATION DESCRIBING THE RULES, PROCEDURES, AND
30 STANDARDS OF CONDUCT FOR THE SCHOOL PROVIDED TO STUDENTS, EMPLOYEES,
31 VOLUNTEERS, OR PARENTS OR GUARDIANS EACH SCHOOL YEAR; OR

(II) PROVIDING A WRITTEN COPY OF THE ANTIDISCRIMINATION POLICY TO STUDENTS, EMPLOYEES, VOLUNTEERS, AND PARENTS OR GUARDIANS EACH SCHOOL YEAR;

(2) DISTRIBUTING COPIES OF THE ANTIDISCRIMINATION POLICY ELECTRONICALLY BY E-MAIL TO ALL ENROLLED STUDENTS AT LEAST ONE TIME EACH SCHOOL YEAR;

(3) POSTING A COPY OF THE ANTIDISCRIMINATION POLICY AT APPROPRIATE LOCATIONS ON THE SCHOOL'S CAMPUS AT ALL TIMES; AND

(4) POSTING THE ANTIDISCRIMINATION POLICY IN A PROMINENT LOCATION ON:

(I) THE SCHOOL'S WEBSITE THAT IS ACCESSIBLE FROM THE HOMEPAGE OF THE WEBSITE BY USE OF NOT MORE THAN THREE LINKS; AND

(II) THE LOCAL SCHOOL SYSTEM'S WEBSITE OR THE WEBSITE OF THE GOVERNING BODY OF AN INSTITUTION OF POSTSECONDARY EDUCATION.

(E) (1) A SCHOOL SHALL PROVIDE MANDATORY TRAINING OR PROGRAMMING TO STUDENTS ON ENROLLMENT OR EMPLOYEES ON EMPLOYMENT REGARDING THE SCHOOL'S ANTIDISCRIMINATION POLICIES.

(2) A TRAINING OR PROGRAM CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) FOR STUDENTS, BE CONDUCTED AT THE BEGINNING OF EACH SCHOOL YEAR IN STUDENT CLASSES, A SCHOOL ASSEMBLY, STUDENT ORIENTATION EVENTS, OR AT SIMILAR EVENTS; AND

(II) FOR EMPLOYEES, BE CONDUCTED WITHIN 4 WEEKS OF THE FIRST DAY OF WORK AT A PARENT TEACHER ASSOCIATION OR ORGANIZATION MEETING, AND PUBLIC MEETINGS OF THE SCHOOL ADMINISTRATIVE OFFICE, LOCAL SCHOOL SYSTEM OFFICE, OR THE OFFICE OF THE GOVERNING BODY OF AN INSTITUTION OF POSTSECONDARY EDUCATION.

(3) IF A SCHOOL DOES NOT HAVE SUFFICIENT RESOURCES TO PROVIDE THE TRAINING OR PROGRAM REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION, THE SCHOOL SHALL COORDINATE WITH A COMMUNITY ORGANIZATION WITH EXPERTISE RELATED TO THE ANTIDISCRIMINATION POLICY TO PROVIDE THE TRAINING TO STUDENTS OR EMPLOYEES AT NO COST.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2025.