

HOUSE BILL 1386

F1, F2

4lr1835

By: ~~Delegate Atterbeary~~ Delegates Atterbeary, Fair, Feldmark, Henson, Mireku-North, Palakovich Carr, Patterson, Roberts, Vogel, Wells, Wilkins, Wims, and Wu

Introduced and read first time: February 9, 2024

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Education – ~~Employee School Employee Antibias Training and Holocaust~~**
3 **~~Education Study~~ – Requirements**

4 FOR the purpose of ~~requiring each county board of education and certain nonpublic schools~~
5 ~~to provide each employee with training on the prevention of antisemitism and~~
6 ~~Islamophobia each year; requiring institutions of higher education to include specific~~
7 ~~training on the prevention of antisemitism and Islamophobia in required cultural~~
8 ~~diversity training; requiring the State Department of Education, in consultation with~~
9 ~~the Professional Standards and Teacher Education Board, to develop guidelines for~~
10 ~~an antibias training program for school employees; requiring each county board of~~
11 ~~education and certain nonpublic schools to offer training based on the guidelines;~~
12 ~~providing for the schedule and manner of the training; requiring the State~~
13 ~~Department of Education to contract with a consultant to conduct an independent~~
14 ~~study and assessment of Holocaust education in middle and high school instruction~~
15 ~~in the State; and generally relating to employee school employee antibias training~~
16 ~~and Holocaust education study.~~

17 BY adding to
18 Article – Education
19 Section 6–129
20 Annotated Code of Maryland
21 (2022 Replacement Volume and 2023 Supplement)

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.



~~BY repealing and reenacting, without amendments,
Article — Education
Section 11-406(a)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Education
Section 11-406(b)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)~~

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

Article – Education

6–129.

~~(A) IN THIS SECTION, “NONPUBLIC SCHOOL” MEANS A NONPUBLIC SCHOOL
THAT PARTICIPATES IN STATE FUNDED EDUCATION PROGRAMS.~~

~~(B) (1) EACH COUNTY BOARD AND NONPUBLIC SCHOOL SHALL REQUIRE
EACH EMPLOYEE TO RECEIVE TRAINING ON THE PREVENTION OF ANTISEMITISM
AND ISLAMOPHOBIA EACH YEAR.~~

~~(2) THE TRAINING REQUIRED UNDER THIS SECTION:~~

~~(I) MAY INCLUDE IN PERSON OR ONLINE COMPONENTS; AND~~

~~(II) SHALL BE PERIODICALLY REVIEWED AND UPDATED.~~

~~(C) A COUNTY BOARD OR NONPUBLIC SCHOOL MAY CONSULT WITH
APPROPRIATE ORGANIZATIONS AND LOCAL STAKEHOLDERS IN DEVELOPING AND
IMPLEMENTING THE TRAINING REQUIRED UNDER THIS SECTION.~~

(A) (1) THE DEPARTMENT, IN CONSULTATION WITH THE PROFESSIONAL
STANDARDS AND TEACHER EDUCATION BOARD, SHALL DEVELOP GUIDELINES FOR
AN ANTIBIAS TRAINING PROGRAM FOR SCHOOL EMPLOYEES.

(2) THE GUIDELINES DEVELOPED UNDER THIS SUBSECTION SHALL:

(I) BE INCLUSIVE;

(II) INCORPORATE LESSONS IN CULTURAL AWARENESS;

1 (III) AIM TO REDUCE IMPLICIT BIAS;

2 (IV) BE CULTURALLY RESPONSIVE TO THE NEEDS OF
3 EDUCATORS AND STUDENTS;

4 (V) RAISE AWARENESS OF BIASES, PREJUDICES,
5 INTOLERANCES, AND DISCRIMINATION FACED BY AFRICAN AMERICANS, NATIVE
6 AMERICANS, ASIAN AMERICANS AND PACIFIC ISLANDERS, HISPANIC AMERICANS,
7 AND OTHER HISTORICALLY MARGINALIZED RACIAL AND ETHNIC MINORITIES;

8 (VI) COMBAT PREJUDICES FACED BY HISTORICALLY
9 MARGINALIZED RELIGIOUS MINORITIES, INCLUDING ANTISEMITISM AND
10 ISLAMOPHOBIA;

11 (VII) SEEK TO ACHIEVE SCHOOLS THAT ARE MORE INCLUSIVE
12 AND TOLERANT OF STUDENTS, FACULTY, AND STAFF REGARDLESS OF AN
13 INDIVIDUAL'S RACE, NATIONAL ORIGIN, MARITAL STATUS, SEXUAL ORIENTATION,
14 GENDER IDENTITY, RELIGION, ANCESTRY, PHYSICAL ATTRIBUTES, SOCIOECONOMIC
15 STATUS, FAMILIAL STATUS, OR DISABILITY; AND

16 (VIII) BE EVIDENCE-BASED.

17 (3) IN DEVELOPING THE GUIDELINES, THE DEPARTMENT SHALL
18 INCORPORATE LESSONS LEARNED FROM REAL LIFE INCIDENTS OF
19 DISCRIMINATORY BULLYING, HARASSMENT, OR INTIMIDATION REPORTED IN
20 ACCORDANCE WITH § 7-424 OF THIS ARTICLE.

21 (4) THE DEPARTMENT PERIODICALLY SHALL UPDATE THE
22 GUIDELINES REQUIRED UNDER THIS SUBSECTION.

23 (B) (1) EACH COUNTY BOARD SHALL, IN CONSULTATION WITH TEACHERS
24 AND OTHER PUBLIC SCHOOL EMPLOYEES, DEVELOP AN ANTIBIAS TRAINING BASED
25 ON THE GUIDELINES DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION.

26 (2) IF THE COUNTY BOARD HAS AN ANTIBIAS TRAINING IN PLACE
27 BEFORE THE DEPARTMENT ISSUES ITS GUIDELINES, THE COUNTY BOARD SHALL, IN
28 CONSULTATION WITH TEACHERS AND OTHER PUBLIC SCHOOL EMPLOYEES, UPDATE
29 ITS TRAINING TO INCORPORATE THE PRACTICES IDENTIFIED IN THE GUIDELINES.

30 (C) (1) EVERY OTHER YEAR, EACH COUNTY BOARD SHALL TRAIN EACH
31 PUBLIC SCHOOL EMPLOYEE WHOSE JOB DUTIES INCLUDE FREQUENT INTERACTION
32 WITH STUDENTS USING ITS ANTIBIAS TRAINING.

1 (2) ANTIBIAS TRAINING SHALL BE JOB-EMBEDDED, PAID
2 PROFESSIONAL DEVELOPMENT TRAINING THAT IS PROVIDED DURING
3 NONTEACHING TIME.

4 (3) TO THE EXTENT PRACTICABLE, THE TRAINING SHALL:

5 (I) BE OFFERED IN A PEER-TO-PEER SETTING;

6 (II) TAKE A HALF DAY OR LESS TO COMPLETE; AND

7 (III) INCORPORATE LESSONS LEARNED FROM INCIDENTS OF
8 BULLYING, HARASSMENT, OR INTIMIDATION IN THE COUNTY, REPORTED IN
9 ACCORDANCE WITH § 7-424 OF THIS ARTICLE.

10 (D) (1) IT IS THE POLICY OF THE STATE THAT A NONPUBLIC SCHOOL
11 THAT PARTICIPATES IN STATE-FUNDED EDUCATION PROGRAMS SHOULD DEVELOP
12 ANTIBIAS TRAINING IN ACCORDANCE WITH THIS SUBSECTION.

13 (2) EACH NONPUBLIC SCHOOL THAT PARTICIPATES IN
14 STATE-FUNDED EDUCATION PROGRAMS MAY, IN CONSULTATION WITH TEACHERS
15 AND OTHER SCHOOL EMPLOYEES, DEVELOP AN ANTIBIAS TRAINING BASED ON THE
16 GUIDELINES DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION.

17 (3) IF THE NONPUBLIC SCHOOL HAS AN ANTIBIAS TRAINING IN PLACE
18 BEFORE THE DEPARTMENT ISSUES ITS GUIDELINES, THE NONPUBLIC SCHOOL MAY,
19 IN CONSULTATION WITH TEACHERS AND OTHER SCHOOL EMPLOYEES, UPDATE ITS
20 TRAINING TO INCORPORATE THE PRACTICES IDENTIFIED IN THE GUIDELINES.

21 (4) EVERY OTHER YEAR, EACH NONPUBLIC SCHOOL THAT DEVELOPS
22 AN ANTIBIAS TRAINING SHALL TRAIN EACH NONPUBLIC SCHOOL EMPLOYEE WHOSE
23 JOB DUTIES INCLUDE FREQUENT INTERACTION WITH STUDENTS USING ITS
24 ANTIBIAS TRAINING.

25 (5) TO THE EXTENT PRACTICABLE, THE TRAINING SHALL:

26 (I) BE OFFERED IN A PEER-TO-PEER SETTING;

27 (II) TAKE A HALF DAY OR LESS TO COMPLETE; AND

28 (III) INCORPORATE LESSONS LEARNED FROM INCIDENTS OF
29 BULLYING, HARASSMENT, OR INTIMIDATION IN THE COUNTY, REPORTED IN
30 ACCORDANCE WITH § 7-424.3 OF THIS ARTICLE.

~~11-406.~~

~~(a) In this section, "cultural diversity" means the inclusion of those racial and ethnic groups and individuals that are or have been underrepresented in higher education.~~

~~(b) (1) (i) Each public institution of higher education in the State shall develop and implement a plan for a program of cultural diversity.~~

~~(ii) If an institution of higher education already has a program of cultural diversity, the institution of higher education shall develop and implement a plan for improving the program.~~

~~(iii) A plan developed and implemented under this subsection shall include an implementation strategy and a time line for meeting goals within the plan.~~

~~(2) A plan developed under paragraph (1) of this subsection shall include:~~

~~(i) A description of the way the institution addresses cultural diversity among its student, faculty, and staff populations;~~

~~(ii) A description of how the institution plans to enhance cultural diversity, if improvement is needed;~~

~~(iii) A process for reporting campus-based hate crimes, as defined under Title 10, Subtitle 3 of the Criminal Law Article and consistent with federal requirements under 20 U.S.C. 1092(f), known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and~~

~~(iv) A summary of any resources, including State grants, needed by the institution to effectively recruit and retain a culturally diverse student body.~~

~~(3) (I) A plan developed under paragraph (1) of this subsection shall enhance cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff at the institution of higher education.~~

~~(II) THE REQUIRED INSTRUCTION AND TRAINING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE SPECIFIC TRAINING ON THE PREVENTION OF ANTISEMITISM AND ISLAMOPHOBIA.~~

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

~~(a) (1) The State Department of Education shall contract with a consultant to conduct an independent study and assessment of Holocaust education in elementary and secondary schools in the State, including an evaluation of:~~

~~(i) the strength and depth of the required instructional content in the middle school and high school Social Studies State Frameworks;~~

~~(ii) the effectiveness of the implementation of the high school State Frameworks for Modern World History and United States History; and~~

~~(iii) the status, availability, and effectiveness of professional development for teachers providing instruction in Holocaust education.~~

~~(2) The consultant conducting the study under paragraph (1) of this subsection shall make recommendations on improving Holocaust education in the State.~~

~~(b) The State Department of Education shall provide any information requested by the consultant conducting the study and assessment under subsection (a) of this section in a timely manner.~~

~~(c) On or before December 31, 2024, the State Department of Education shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly, that summarizes the results of the study and assessment conducted in accordance with subsection (a) of this section.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.