

# SENATE BILL 938

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By: **Senators Hester, Rosapepe, King, Jackson, Beidle, Smith, Waldstreicher, Elfreth, Carter, Carozza, West, Benson, and Bailey**

Introduced and read first time: February 17, 2023

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

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

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

17 BY repealing and reenacting, without amendments,  
18 Article – Education  
19 Section 7-1502(a) and (g)  
20 Annotated Code of Maryland  
21 (2022 Replacement Volume)

22 BY repealing and reenacting, with amendments,  
23 Article – Education  
24 Section 7-1508(g), 7-1510, and 7-1512  
25 Annotated Code of Maryland  
26 (2022 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 7–1502.

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

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

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

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

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

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

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

20 (i) Surveillance and other security technology; and

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

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

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

28 (ii) Conduct collaborative training and preparation exercises; and

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

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

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

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

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

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

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

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

19                   (ii) To incorporate new data points into existing data collection  
20 systems;

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

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

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

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

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

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

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

3 (20) Review and comment on school emergency plans developed under §  
4 7–1510 of this subtitle; and

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

7 7–1508.

8 (g) (1) For [fiscal year 2020 and each fiscal year thereafter] **EACH OF FISCAL**  
9 **YEARS 2020 THROUGH 2024**, the Governor shall include in the annual budget bill an  
10 appropriation of \$10,000,000 to the Fund for the purpose of providing grants to local school  
11 systems and local law enforcement agencies to assist in meeting the requirements of  
12 subsection (e) of this section.

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

16 7–1510.

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

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

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

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

25 (1) Consult with the Center for guidance;

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

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

30 (c) On or before December 1, 2019, the Department, in consultation with the  
31 Center and local school systems, shall update the Emergency Planning Guidelines for Local

1 School Systems and Schools to accommodate the findings made in the initial safety  
2 evaluations under subsection (a) of this section.

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

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

8 (i) Behavioral threats;

9 (ii) Emergency events; and

10 (iii) Accommodations for students with disabilities in emergency  
11 events;

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

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

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

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

20 (i) Aggregate data about threats made against any school or school  
21 system facility;

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

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

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

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

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

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

3                   (ii)   The local school system shall invite the Center, local law  
4 enforcement agencies, and emergency responders to participate in the after–action review  
5 and evaluation required under this paragraph.

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

8           (3)   (i)    The Center shall report to the Governor and, in accordance with  
9 § 2–1257 of the State Government Article, the General Assembly within 45 days after a  
10 local school system has filed a report on the after–action review and evaluation under  
11 paragraph (2)(iii) of this subsection.

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

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

14                           2.    Any recommendations for improving school safety.

15           **(H)   (1)    ON OR BEFORE JULY 1, 2024, AND EVERY 2 YEARS THEREAFTER,**  
16 **THE CENTER, THE DEPARTMENT, AND THE INTERAGENCY COMMISSION ON SCHOOL**  
17 **CONSTRUCTION JOINTLY SHALL REVIEW THE STATE OF PHYSICAL SECURITY IN**  
18 **SCHOOLS AND THE EXISTING GUIDELINES ON SCHOOL SAFETY.**

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

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

27 7–1512.

28           (a)    There is a Safe Schools Fund.

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

31           (c)    The Subcabinet shall administer the Fund.

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

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

5 (e) The Fund consists of:

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

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

9 (3) Money appropriated to the Fund under § 7–1508 of this subtitle;

10 (4) **MONEY APPROPRIATED TO THE FUND UNDER SUBSECTION (F) OF**  
11 **THIS SECTION;**

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

13 ~~(5)~~ (6) Any interest earnings of the Fund.

14 (F) **FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE**  
15 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**  
16 **\$20,000,000 TO THE FUND TO BE USED FOR THE PURPOSES DESCRIBED IN**  
17 **SUBSECTION (G) OF THIS SECTION.**

18 ~~(f)~~ (G) (1) Except as provided in ~~[subsection (g)]~~ **PARAGRAPH (2)** of this  
19 ~~[section]~~ **SUBSECTION, AND SUBJECT TO SUBSECTION (H) OF THIS SECTION**, the Fund  
20 may be used only to provide grants to local school systems to enhance school safety,  
21 including:

22 ~~[(1)]~~ (I) Conducting training for students and school personnel on  
23 de-escalation of situations and identifying and reporting behaviors of concern;

24 ~~[(2)]~~ (II) Conducting training of assessment teams;

25 ~~[(3)]~~ (III) Conducting school safety evaluations;

26 ~~[(4)]~~ (IV) Establishing formal and anonymous mechanisms for reporting  
27 safety concerns;

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

1            **[(6)] (VI)** Enrolling school security employees in training provided by the  
2 Center;

3            **[(7)] (VII)** Developing plans to deliver school-based behavioral health and  
4 other wraparound services to students who exhibit behaviors of concern, including  
5 establishing systems to maximize external funding for services;

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

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

13            **[(10)] (X)** Assisting local school systems to improve and monitor traffic  
14 control measures in the immediate vicinity of schools to reduce the potential for pedestrian  
15 and vehicle accidents;

16            **(XI) PROVIDING GRANTS TO DEVELOP SERVICES FOR**  
17 **RESOLVING STUDENT DISPUTES THROUGH A MEDIATION PROCESS; AND**

18            **(XII) GIVING GRANTS TO PROVIDE LOCAL SCHOOL SYSTEMS**  
19 **WITH A SCHOOL RESOURCE OFFICER OR ADEQUATE LOCAL LAW ENFORCEMENT**  
20 **COVERAGE IN ACCORDANCE WITH A LOCAL SCHOOL SYSTEM'S COVERAGE PLAN, AS**  
21 **REQUIRED BY § 7-1508 OF THIS SUBTITLE.**

22            **(2) (I) FOR MONEY PROVIDED FROM THE FUND IN ACCORDANCE**  
23 **WITH PARAGRAPH (1)(XII) OF THIS SUBSECTION, GRANTS SHALL BE MADE TO LOCAL**  
24 **SCHOOL SYSTEMS AND LOCAL LAW ENFORCEMENT AGENCIES.**

25            **(II) IN AWARDING GRANTS IN ACCORDANCE WITH PARAGRAPH**  
26 **(1)(XII) OF THIS SUBSECTION, THE SUBCABINET SHALL PROVIDE TO EACH COUNTY**  
27 **FUNDING IN AN AMOUNT BASED ON THE NUMBER OF SCHOOLS IN THE COUNTY'S**  
28 **PUBLIC SCHOOL SYSTEM IN PROPORTION TO THE TOTAL NUMBER OF PUBLIC**  
29 **SCHOOLS IN THE STATE IN THE PRIOR YEAR.**

30            **(III) MONEY PROVIDED FROM THE FUND IN ACCORDANCE WITH**  
31 **THIS PARAGRAPH SHALL BE DISTRIBUTED TO LOCAL SCHOOL SYSTEMS AND LOCAL**  
32 **LAW ENFORCEMENT AGENCIES IN THE FOLLOWING AMOUNTS:**



1                   **1. FOR EACH OF FISCAL YEARS 2020 THROUGH 2024,**  
2 **\$10,000,000 OF THE MONEY IN THE FUND SHALL BE USED AS PROVIDED UNDER §**  
3 **7-1508 OF THIS SUBTITLE; AND**

4                   **2. FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR**  
5 **THEREAFTER, AN AMOUNT THAT THE SUBCABINET DETERMINES APPROPRIATE.**

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

9           **(H) IN AWARDING GRANTS FROM THE FUND FOR THE PURPOSES**  
10 **DESCRIBED IN SUBSECTION (G) OF THIS SECTION, THE SUBCABINET SHALL AWARD**  
11 **GRANTS TO EACH LOCAL SCHOOL SYSTEM BASED ON THE NUMBER OF SCHOOLS IN**  
12 **EACH SCHOOL SYSTEM IN PROPORTION TO THE TOTAL NUMBER OF PUBLIC SCHOOLS**  
13 **IN THE STATE IN THE PRIOR YEAR.**

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

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

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

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

21           **[(j) (K)** Expenditures from the Fund may only be made:

22                   (1) in accordance with the State budget; or

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

27           **[(k) (L)** Money expended from the Fund by local school systems to enhance  
28 school safety is supplemental to and is not intended to take the place of funding that  
29 otherwise would be appropriated to local school systems.

30           **SECTION 2. AND BE IT FURTHER ENACTED, That:**

31           (a) On or before December 1, 2024, the Maryland Center for School Safety shall  
32 contract with an independent third party to ensure that the Center is adequately

1 performing the functions and duties to which it is assigned under § 7–1502 of the Education  
2 Article.

3 (b) (1) On or before December 1, 2025, the independent third party shall  
4 provide the Center with its assessment.

5 (2) The independent third party’s assessment shall include an in–depth  
6 analysis of each of the Center’s functions and duties, any areas in which the Center is  
7 failing to achieve its functions and duties, and recommended changes necessary to achieve  
8 success.

9 (c) On or before January 15, 2026, the Center shall report the results of the  
10 independent third party’s study to the Governor and, in accordance with § 2–1257 of the  
11 State Government Article, the General Assembly.

12 (d) The Governor shall include an appropriation of \$200,000 in the fiscal year  
13 2025 budget to carry out the provisions of this section.

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

15 (a) The State Department of Education, in consultation with the Maryland  
16 Center for School Safety and the Maryland Longitudinal Data Systems Center, shall  
17 provide an analysis of the effect State and local policies in place from the 2017–2018 school  
18 year through the 2022–2023 school year had on school safety and student well–being.

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

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

21 (2) disciplinary actions taken against students;

22 (3) school–based arrests of students;

23 (4) behavioral threat assessments conducted in schools;

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

25 (6) the initiation of suicide prevention protocols for students and instances  
26 of student suicide; and

27 (7) weapons recovered on school grounds.

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

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

1           (2)    if applicable, a student’s race;

2           (3)    if applicable, a student’s sex;

3           (4)    if applicable, a student’s gender; and

4           (5)    if applicable, a student’s ethnicity.

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

8           (e)    On or before July 1, 2024, the Department shall report to the Governor and,  
9 in accordance with § 2–1257 of the State Government Article, the General Assembly on the  
10 results of its analysis.

11           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
12 1, 2023.