

SB0541/304337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Nathan–Pulliam” and substitute “, Nathan–Pulliam, Pinsky, Bailey, Carozza, Ellis, Gallion, Kagan, Patterson, Simonaire, and Young”; in line 11, after “period” insert “to certain parties”; and strike beginning with “authorizing” in line 12 down through “circumstances;” in line 13.

AMENDMENT NO. 2

On page 2, strike beginning with “MEANS” in line 15 down through “MINOR” in line 17 and substitute “HAS THE MEANING STATED IN § 6–113.1 OF THIS SUBTITLE”; strike in their entirety lines 24 through 27, inclusive; and in lines 28 and 29, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively.

On pages 2 and 3, strike beginning with “MEANS” in line 29 on page 2 down through “MINOR” in line 9 on page 3 and substitute “HAS THE MEANING STATED IN § 6–113.1 OF THIS SUBTITLE”.

On page 3, in line 21, strike “THE APPLICANT’S JOB PERFORMANCE” and substitute “CHILD SEXUAL ABUSE OR SEXUAL MISCONDUCT”; in line 24, after the comma, insert “ARBITRATOR, COUNTY BOARD,”; and strike beginning with “THAT” in line 26 down through “FALSE” in line 27 and substitute “BY:”

1. THE EMPLOYER THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT LACKED SUFFICIENT EVIDENCE ACCORDING TO THE POLICIES OF THE COUNTY BOARD OR NONPUBLIC SCHOOL;

(Over)

2. AN ARBITRATOR OR A COUNTY BOARD TO REJECT ANY DISCIPLINARY ACTION IN RESPONSE TO ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT;

3. A STATE LICENSING AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT LACKED SUFFICIENT EVIDENCE ACCORDING TO:

A. STATE LAW; OR

B. THE POLICIES OF THE COUNTY BOARD OR NONPUBLIC SCHOOL;

4. A LAW ENFORCEMENT AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN CHILD SEXUAL ABUSE WERE UNFOUNDED; OR

5. A CHILD PROTECTIVE SERVICES AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN CHILD SEXUAL ABUSE WERE RULED OUT”.

On page 4, in line 26, after “DISCIPLINE” insert “RELATED TO CHILD SEXUAL ABUSE OR SEXUAL MISCONDUCT”.

On page 5, in line 5, strike “RELATED”; in the same line, after “RECORDS” insert “RELATED TO CHILD SEXUAL ABUSE OR SEXUAL MISCONDUCT”; in line 9, after “REQUEST” insert “TO:”

(I) THE REQUESTING COUNTY BOARD, NONPUBLIC SCHOOL, OR CONTRACTING AGENCY; AND

(II) THE APPLICANT WHO IS UNDER CONSIDERATION FOR EMPLOYMENT;

strike in their entirety lines 10 through 22, inclusive; in line 27, strike “SCHOOL’S”; in line 28, after “LIST” insert “OF THE COUNTY BOARD, NONPUBLIC SCHOOL, OR CONTRACTING AGENCY”; in line 31, strike “SCHOOL” and substitute “COUNTY BOARD”; in the same line, strike “SCHOOL’S”; in line 32, after “LIST” insert “OF THE NONPUBLIC SCHOOL OR CONTRACTING AGENCY”; in line 34, strike “ANOTHER SCHOOL’S” and substitute “THE”; and in the same line, after “LIST” insert “OF ANOTHER COUNTY BOARD, NONPUBLIC SCHOOL, OR CONTRACTING AGENCY”.

On page 5 in line 23, on page 6 in line 14, on page 7 in lines 8 and 22, on page 8 in lines 7, 13, and 28, and on page 9 in line 21, strike “(F)”, “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, “(L)”, and “(M)”, respectively, and substitute “(E)”, “(F)”, “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, and “(L)”, respectively.

On page 6, in lines 2 and 3, strike “ONE SCHOOL’S” and substitute “THE”; in line 3, after “LIST” insert “OF ONE COUNTY BOARD, NONPUBLIC SCHOOL, OR CONTRACTING AGENCY”; in the same line, strike “SCHOOL” and substitute “COUNTY BOARD, NONPUBLIC SCHOOL, OR CONTRACTING AGENCY”; in line 8, strike “SCHOOLS” and substitute “A COUNTY BOARD OR A NONPUBLIC SCHOOL”; in line 9, strike “SCHOOLS” and substitute “SCHOOL ENTITIES”; in line 12, strike “SCHOOLS” and substitute “A SCHOOL ENTITY”; and in line 20, after “SCHOOL” insert “ENTITY”.

On page 7, in line 27, strike “OF” and substitute “OR DISCIPLINARY ACTION IN RESPONSE TO”.

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On page 8, in lines 1 and 2, strike “AFTER INVESTIGATION THE ALLEGATIONS ARE FOUND TO BE FALSE” and substitute “THE INVESTIGATION RESULTED IN A FINDING BY:”

1. THE EMPLOYER THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT LACKED SUFFICIENT EVIDENCE ACCORDING TO THE POLICIES OF THE COUNTY BOARD OR NONPUBLIC SCHOOL;

2. AN ARBITRATOR OR A COUNTY BOARD TO REJECT ANY DISCIPLINARY ACTION IN RESPONSE TO ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT;

3. A STATE LICENSING AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN SEXUAL MISCONDUCT LACKED SUFFICIENT EVIDENCE ACCORDING TO:

A. STATE LAW; OR

B. THE POLICIES OF THE COUNTY BOARD OR NONPUBLIC SCHOOL;

4. A LAW ENFORCEMENT AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN CHILD SEXUAL ABUSE WERE UNFOUNDED; OR

5. A CHILD PROTECTIVE SERVICES AGENCY THAT ALLEGATIONS THAT THE APPLICANT ENGAGED IN CHILD SEXUAL ABUSE WERE RULED OUT”;

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in line 14, after the first “**RECORDS**” insert “**RELATED TO CHILD SEXUAL ABUSE OR SEXUAL MISCONDUCT**”; in the same line, strike “, **INCLUDING PERSONNEL RECORDS,**”; in line 15, strike “**JOB PERFORMANCE,**”; and in line 16, strike the first comma.

On page 9, in line 26, strike “**REQUIRING**” and substitute “**REQUESTING**”.