

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 439
Ways and Means

(Delegates Washington and Charkoudian)

Education, Health, and Environmental Affairs

Public Schools - School Resource Officers - Prohibited Conduct

This bill prohibits a school administrator or school safety coordinator from directing a school resource officer (SRO) to enforce discipline-related school policies, rules, regulations, or procedures. It also bars an SRO from unilaterally enforcing discipline-related school policies, rules, regulations, or procedures, and requires that training provided to them reflect that prohibition. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None. The bill pertains only to local school systems.

Local Effect: None. The bill does not materially affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Current Law: Chapter 30 of 2018 (Maryland Safe to Learn Act) defined an SRO as (1) a law enforcement officer assigned to a school in accordance with a memorandum of understanding between a local law enforcement agency and a local school system or (2) a Baltimore City School Police Officer, as defined in current law.

Under Chapter 30, the Maryland Center for School Safety (MCSS) developed, in consultation with local school systems, a specialized curriculum to be used in training SROs. The curriculum was submitted to and approved by the Maryland Police Training and Standards Commission (MPTSC). Chapter 30 also required MCSS to develop and

submit to MPTSC for approval by March 1, 2019, a model training program based on the curriculum, which it has now done. Each local law enforcement agency must enroll SROs either in (1) the MCSS model training program or (2) a local training program approved by MPTSC that is consistent with the approved curriculum. All SROs must complete an approved specialized training program by September 1, 2019.

MCSS must collect specified data on SROs and, in collaboration with local law enforcement and school systems, develop guidelines based on its analysis of the data to assist local school systems in (1) identifying the appropriate number and assignment of SROs, including supplemental coverage by local law enforcement agencies and (2) collaborating and communicating with local law enforcement agencies. By July 1, 2019, each local school system must develop a plan in consultation with local law enforcement to implement the guidelines and submit its plan to MCSS for review and comment.

Beginning with the 2019-20 school year, before the school year begins, each local school system must annually file a report with MCSS that identifies (1) the public schools that have an SRO assigned and (2) if no SRO is assigned to a public school, the adequate local law enforcement coverage that will be provided to the school. School systems were required to report the same information only for high schools prior to the start of the 2018-19 school year. MCSS must submit annual summaries of the SRO/law enforcement coverage reports it receives to the Governor and General Assembly. MCSS must also collect and report annually data on specified incidents of use of force involving SROs or school security employees.

Beginning in fiscal 2020 and each year thereafter, the Governor must include \$10.0 million for the Safe Schools Fund to provide grants to local school systems and law enforcement agencies to meet the SRO/law enforcement coverage requirements; the fiscal 2020 State budget includes the funding. Grants must be made based on the proportion of public schools in each jurisdiction.

Background: During the 2017-18 school year, a survey of local school systems by MCSS found that there were between 360 and 400 SROs assigned to public schools, primarily high schools. In December 2018, MCSS reported that 224 out of 255 public high schools and alternative schools (88%) in the State had a full-time SRO assigned to the school; the remaining schools had other adequate law enforcement coverage as required by Chapter 30.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Center for School Safety; Baltimore City Public Schools; Anne Arundel County Public Schools; St. Mary's County Public Schools; Montgomery County Public Schools; Department of Legislative Services

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