

HOUSE BILL 418

F1

11r0360

(PRE-FILED)

By: **Delegate Guyton**

Requested: July 27, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2021

CHAPTER _____

1 AN ACT concerning

2 **County Boards of Education – Symbols of Hate – Policy**

3 FOR the purpose of requiring, on or before a certain date and subject to a certain exception,
4 each county board of education to adopt a policy prohibiting the use or display of
5 symbols of hate under certain circumstances; requiring a certain policy to include
6 certain prohibitions; requiring a certain policy to provide a student who displays a
7 symbol of hate with an opportunity to remove or cover up the symbol of hate;
8 requiring a county board to develop and distribute certain educational materials to
9 certain public schools for a certain purpose; defining a certain term; and generally
10 relating to a policy prohibiting the use or display of symbols of hate in public schools.

11 BY adding to

12 Article – Education

13 Section 7-424.4

14 Annotated Code of Maryland

15 (2018 Replacement Volume and 2020 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 **7-424.4.**

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.



1 (A) (1) IN THIS SECTION, "SYMBOL OF HATE" MEANS A SYMBOL, AN
2 IMAGE, OR AN OBJECT THAT EXPRESSES ANIMUS TOWARD ANOTHER INDIVIDUAL ON
3 THE BASIS OF RACE, COLOR, RELIGION, GENDER IDENTITY, SEXUAL ORIENTATION,
4 DISABILITY, OR NATIONAL ORIGIN THAT MAY BE REASONABLY FORECAST TO CAUSE
5 A DISRUPTION.

6 (2) "SYMBOL OF HATE" ~~INCLUDES~~ MAY INCLUDE, SUBJECT TO A
7 REASONABLE FORECAST OF DISRUPTION, A NOOSE, SWASTIKA, AND CONFEDERATE
8 FLAG.

9 (B) (1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
10 SUBSECTION, ON OR BEFORE DECEMBER 31, 2021, EACH COUNTY BOARD SHALL
11 ADOPT A POLICY PROHIBITING THE USE OR DISPLAY OF A SYMBOL OF HATE ON
12 SCHOOL GROUNDS OR IN ANY PROGRAM, SERVICE, SCHOOL BUILDING, OR ACTIVITY
13 THAT IS FUNDED IN WHOLE OR IN PART BY STATE FUNDS.

14 (II) THE POLICY SHALL PROHIBIT THE DISPLAY OF A SYMBOL
15 OF HATE ON CLOTHING, BOOK BAGS, FOLDERS, AND SIMILAR ITEMS.

16 (III) THE POLICY SHALL PROVIDE A STUDENT WHO DISPLAYS A
17 SYMBOL OF HATE ON CLOTHING, BOOK BAGS, FOLDERS, AND SIMILAR ITEMS AN
18 OPPORTUNITY TO REMOVE OR COVER UP THE SYMBOL OF HATE.

19 (2) THE POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS
20 SUBSECTION MAY NOT PROHIBIT THE IMAGE OF A SYMBOL OF HATE FROM BEING
21 USED AS AN EXAMPLE IN A COURSE OF STUDY AT THE SCHOOL.

22 (C) EACH COUNTY BOARD SHALL DEVELOP AND DISTRIBUTE EDUCATIONAL
23 MATERIALS DETAILING THE POLICY ADOPTED UNDER THIS SECTION, INCLUDING
24 CONSEQUENCES FOR VIOLATIONS, TO EACH PUBLIC SCHOOL UNDER ITS
25 JURISDICTION FOR DISSEMINATION TO ALL SCHOOL EMPLOYEES AND STUDENTS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2021.