

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 245 (Senator Ellis)
Education, Health, and Environmental Affairs
and Judicial Proceedings

Public Schools - School Resource Officers - Requirements and Prohibitions

This bill prohibits school resource officers (SRO) from entering a school building, except under specified circumstances, and from participating in the routine discipline of a student. It also requires SROs to conceal their firearms unless responding to an emergency involving violence and to wear civilian clothing while on campus or in the school building. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: None. The bill pertains only to local school systems and public safety agencies.

Local Effect: The bill is procedural in nature and does not affect local finances.

Small Business Effect: None.

Analysis

Bill Summary: An SRO may enter a school building only:

- if summoned by a school administrator or official to respond to an emergency involving violence or the threat of violence;
- to participate in specialized instruction sanctioned by a school administrator or official; or
- to use a restroom.

Current Law: A “school resource officer” is defined as:

- a law enforcement officer who has been assigned to a school in accordance with a memorandum of understanding between the chief law enforcement agency and local school system; or
- a Baltimore City school police officer.

A Baltimore City school police officer is a person who, when acting in an official capacity, is a member of the Baltimore City School Police Force established in statute and who is authorized by law to make arrests. In general, a Baltimore City school police officer may act in an official capacity only on the premises of a Baltimore City school or under other specified circumstances. When acting in an official capacity, a Baltimore City school police officer has all the powers of a law enforcement officer in the State. Members of the Baltimore City School Police Force are employees of and appointed by the Baltimore City Board of School Commissioners. During school days, Baltimore City school police officers are authorized to carry weapons on the premises of a school to which they are assigned *only* before or after regular school hours; they are also authorized to carry weapons on the premises of a school to which they are assigned on days other than school days.

Maryland Safe to Learn Act

As required by Chapter 30 of 2018 (the Maryland Safe to Learn Act), the Maryland Center for School Safety (MCSS) developed, in consultation with local school systems, a specialized curriculum to be used in training SROs and school security employees that addresses specified issues. The curriculum was submitted to and approved by the Maryland Police Training and Standards Commission (MPTSC). The Act also required, by March 1, 2019, that MCSS develop and submit to MPTSC for approval a model training program based on the curriculum, which it has done. Each local law enforcement agency must enroll SROs and school security employees 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 and school security employees must have completed 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.

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. MCSS must submit annual summaries of the SRO/law enforcement coverage reports it receives to the Governor and the 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. Grants must be made based on the proportion of public schools in each jurisdiction.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Wicomico County Public Schools; St. Mary's County Public Schools; Maryland State Department of Education; Department of Legislative Services

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Analysis by: Michael C. Rubenstein

Direct Inquiries to:
(410) 946-5510
(301) 970-5510