
BILL:	House Bill 1386	DATE:	March 27, 2024
SUBJECT:	Education – School Employee Antibias Training – Requirements	COMMITTEE:	Ways and Means
POSITION:	Information Only		
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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding House Bill (HB) 1386 – Education – School Employee Antibias Training – Requirements, which requires MSDE, in consultation with the Professional Standards and Teacher Education Board (PSTEB), to develop guidelines for an antibias program for school employees. The guidelines are required to: be inclusive, include lessons in cultural awareness, aim to reduce implicit bias, be culturally responsive to the needs of educators and students, raise awareness of biases, combat prejudices, seek to achieve schools that are more inclusive and tolerant, and be evidence-based.

House Bill 1386 requires the Department, in consultation with PSTEB, to develop guidelines for an antibias training program for school employees. It should be noted that PSTEB has not historically participated in the development of in-service training standards, nor has PSTEB developed rules and regulations for school employees outside of those requirements for the preparation and certification of educators who are required to be certified to be employed. As the PSTEB has not worked in this area previously, its membership is unlikely to be prepared to assist the Department in developing anti-bias training program guidelines for school employees in general.

For reference, PSTEB, established and governed by Education Article 6-702 through 6-708, has the purview under the statute to develop for consideration rules and regulations for:

- Requirements for the preparation of teachers and other education personnel; and
- The certification of social workers employed by a local school employer as professional personnel.

MSDE does not currently have the staff expertise or capacity to develop the guidelines specified in HB1386. To implement the requirements of HB 1386, MSDE would need to contract with entities with expertise in antibias research and practices to produce evidence-based guidelines that meet the other specified criteria. MSDE would need to dedicate staff to managing the project and see the guidelines to completion. MSDE estimates a cost of \$100,000 to hire a consultant to conduct the required research and develop the guidelines based on projects of similar size and scope.

The Department would like to highlight the impact the proposed anti-bias training could hold for local education agencies (LEAs). Under HB1386, LEAs, and those nonpublic schools that choose to participate, will most likely experience an operational and fiscal impact as they will be responsible for developing antibias training based on the guidelines developed by MSDE. House Bill 1386 requires LEAs to train each public-school employee whose job duties include frequent interaction with students. The bill stipulates that training be job-embedded, paid professional development training that is provided during non-teaching time.

Training and professional development are provided by LEAs, MSDE, and other providers throughout the school year. Professional development typically occurs during the workday (e.g. training during after-school all staff meetings, during school year professional development days, or during summer professional development). Training and professional development are considered a part of the job responsibilities of school-based and central office staff. When training or professional development is during the workday, there is no additional payment outside of salary. If training were required outside of the workday, payment would be required but that is not typical and would be costly for the LEAs. It would be a unique circumstance to pay school staff to participate in this type of training, as proposed in HB 1386.

Finally, HB1386 requires that training guidelines that are developed “incorporate lessons learned from real life incidents of discriminatory bullying, harassment, or intimidation.” (page 3). In the development of training guidelines and in the implementation of antibias training, MSDE and LEAs will need to put safeguards in place to protect student privacy. Any references to cases must protect identifying information.

We respectfully request that you consider this information as you deliberate HB1386. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or akilah.alleyne@maryland.gov.