

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 540

(Senator Gile, *et al.*)

Education, Energy, and the Environment

Ways and Means

Education - School Mapping Data Program - Established

This bill creates the School Mapping Data Program in the Maryland Center for School Safety (MCSS) to provide funds to local school systems to produce school mapping data for each public school in the county, including charter schools. The Interagency Commission on School Construction (IAC) must adopt facility mapping standards for the uniform mapping of the physical attributes of public schools. The bill authorizes the School Safety Subcabinet to use funds in the Safe Schools Fund to make grants to local school systems under the program. Under the Public Information Act (PIA), a custodian must deny inspection of any record disclosing school mapping data produced under the bill. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None. MCSS and IAC can implement the bill with existing budgeted resources. However, fewer funds from the Safe Schools Fund may be available for other authorized purposes, as discussed below. No effect on revenues.

Local Effect: No direct effect on local finances. Nonetheless, to the extent that a local school system applies for and receives a grant under the program, local revenues and expenditures increase. However, fewer funds may be available for currently authorized purposes.

Small Business Effect: None.

Analysis

Bill Summary: Local school systems must cooperate with IAC in the development of uniform mapping standards and contribute data to IAC as requested. They may also, in consultation with local law enforcement agencies, apply to the School Safety Subcabinet for funds to produce school mapping data. Any mapping data produced with grant funds must comply with the mapping standards and:

- be compatible with specified software platforms without requiring the purchase of additional software or charging a fee to access the data;
- be in a printable format and, if requested, in a digital file format that can be integrated into interactive mobile platforms;
- be verified for accuracy by a walk-through of the school building and grounds;
- be oriented true north;
- be overlaid on current aerial imagery;
- contain site specific labeling, as specified; and
- be overlaid with gridded X and Y coordinates.

Current Law:

Maryland Center for School Safety

Chapter 372 of 2013 established MCSS as an independent unit within State government under the direction of a governing board chaired by the State Superintendent of Schools. It mandated that the Governor include \$500,000 annually for the center's operations. Chapter 30 of 2018, the Maryland Safe to Learn Act, made MCSS an independent unit within the Maryland State Department of Education under the direction of the School Safety Subcabinet, consisting of the following individuals or their designees:

- the State Superintendent of Schools;
- the Secretary of Health;
- the Secretary of State Police;
- the Attorney General;
- the Secretary of the Department of Disabilities; and
- the Executive Director of the Interagency Committee on School Construction.

Chapter 30 also increased the mandated appropriation for MCSS's operations to \$2.0 million annually.

School Safety Subcabinet

The School Safety Subcabinet consists of the following individuals or their designees:

- the State Superintendent of Schools;
- the Secretary of Health;
- the Secretary of State Police;
- the Attorney General;
- the Secretary of the Department of Disabilities; and
- the Executive Director of the Interagency Commission on School Construction.

The State Superintendent or designee chairs the subcabinet, and the Executive Director of MCSS provides staff.

Safe Schools Fund

The Safe Schools Fund is administered by the subcabinet, which must establish procedures for local school systems and law enforcement agencies to apply for grants from the fund. The purpose of the fund is to provide grants to local school systems to enhance school safety, and it may be used only for that purpose, including:

- conducting training for students and school personnel on de-escalation situations and identifying and reporting behaviors of concern;
- conducting training of assessment teams;
- conducting school safety evaluations;
- establishing formal and anonymous mechanisms for reporting safety concerns;
- reimbursing local law enforcement agencies for School Resource Officer (SRO) training;
- enrolling school security employees in specified training;
- developing plans to deliver school-based behavioral health and other wraparound services to specified students;
- outreaching to the broader school community to improve school safety;
- providing information to students and parents on traveling safely to and from school; and
- assisting local school systems to provide and monitor traffic control measures in the vicinity of the school.

The fund consists of:

- \$600,000 paid annually to the fund from fines collected from uninsured motorists;

- \$10.0 million for grants to local school systems and/or law enforcement agencies to provide adequate law enforcement coverage and/or SROs for public schools;
- money appropriated in the State budget to the fund;
- money from any other source; and
- interest earnings.

Public Information Act

PIA establishes that all persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees. Each governmental unit that maintains public records must identify a representative whom a member of the public may contact to request a public record. The Office of the Attorney General (OAG) must post all such contact information on its website and in any *Public Information Act Manual* published by OAG.

Duties of Custodians

Generally, a custodian of a public record must permit inspection of any public record at any reasonable time. A custodian must designate types of public records that are to be made available to any applicant immediately on request and maintain a current list of the types of public records that have been so designated. Each custodian must adopt reasonable rules or regulations that, consistent with PIA, govern timely production and inspection of a public record. Chapter 658 of 2021, effective July 1, 2022, requires each official custodian to adopt a policy of proactive disclosure of public records that are available for inspection under PIA, as specified.

Required Denials

A custodian must deny inspection of a public record or any part of a public record if (1) the public record is privileged or confidential by law or (2) the inspection would be contrary to a State statute, a federal statute or regulation, the Maryland Rules, or an order of a court of record. PIA also requires denial of inspection for specified personal and confidential records and information, including, for example, personnel and student records, hospital records, specified medical and financial information, and shielded criminal and police records.

State Fiscal Effect: The bill does not affect total funding for the Safe Schools Fund, which, as noted above, currently has two main funding sources: \$10 million for adequate law enforcement coverage for public schools; and \$600,000 available for 10 authorized purposes (the bill adds one more). Therefore, to the extent that the subcabinet awards grants to local school systems for school mapping data, fewer funds are available for other

authorized purposes. If all available funds are used for school mapping grants, an average of \$25,000 is available for each of 24 local school systems.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 472 (Delegate Atterbeary, *et al.*) - Ways and Means.

Information Source(s): Maryland Association of Counties; Montgomery County; Governor's Office of Crime Prevention and Policy; Maryland State Department of Education; Maryland Center for School Safety; Department of State Police; Baltimore County Public Schools; Department of Legislative Services

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