

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

Senate Bill 654

(Senator A. Washington)

Education, Energy, and the Environment

Ways and Means

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**Prince George's County - Student Support and School Facilities and Public  
Safety Surcharges and Report - Sunset Extension**

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This bill establishes a student support specialist network with specified membership in each public high school in Prince George's County, and requires each network to develop, complete, and implement a student support success action plan. To support each network in developing plans, the Prince George's County Board of Education must, by December 31, 2024, develop, approve, and disseminate a template for a student support success action plan with specified elements. The county board must set a deadline for submission of plans for approval from networks, and each network must submit a plan for approval before implementation. By July 1, 2025, and each July 1 thereafter, each network must report on the results of the plan's implementation to the county board. The bill also extends the termination date of Chapter 351 of 2019, which altered the Prince George's County school facilities surcharge, to June 30, 2029. **The bill takes effect July 1, 2024.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Prince George's County expenditures increase by as much as \$3.7 million annually, beginning in FY 2025, for additional staffing in some or all high schools in the county. Prince George's County school facilities surcharge revenues continue to decrease in FY 2025 through 2029. County expenditures for public school construction projects are not directly affected; however, the proposed changes may reduce the amount of revenue available for public school construction projects. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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## **Analysis**

**Bill Summary:** Networks must implement a plan utilizing the approved board template. The template for a plan must include metrics to measure and concrete steps to achieve improvements in:

- the number of students who have access to behavioral and mental health supports;
- the ratio of licensed clinical social workers, licensed professional counselors, crisis intervention resource teachers, and clinical therapists to students;
- referrals of students to mental health services, nurses, career counseling, and food pantries;
- community school assessment results;
- use of restorative approaches in addressing student misconduct;
- the use of trauma-informed approaches to a student in distress;
- the number of school-based arrests;
- the number of student disciplinary referrals issued;
- the number of suspensions;
- referrals to the Department of Juvenile Services; and
- the number of expulsions for nonviolent behavior.

### **Current Law:**

#### *Mental Health in Public Schools*

With the assistance of the local health department (LHD), each local board of education must provide adequate school health services, instruction in health education, and a healthful school environment. The Maryland State Department of Education (MSDE) and the Maryland Department of Health must jointly develop public standards and guidelines for school health programs and assist local boards of education and LHDs in their implementation.

Chapter 36 of 2020, The Blueprint for Maryland's Future (Blueprint) established the Maryland Consortium on Coordinated Community Supports within the Maryland Community Health Resources Commission. The consortium must complete certain tasks related to the development of coordinated community supports partnerships to meet student behavioral health needs and other related challenges in a holistic, nonstigmatized, and coordinated manner, including developing a statewide framework for the creation of a coordinated community supports partnership, implementing a related grant program, evaluating a payment reimbursement program for providers, and developing a program for

uninsured students. In addition, in consultation with MSDE, the consortium must develop best practices for the creation of a positive classroom for all students. The Blueprint also expanded funding for school-based health centers and for local school systems to train school staff to recognize student behavioral health issues and required local boards of education to enhance and expand the availability of behavioral health services to students.

### *Community Schools*

“Community school” means a public school that establishes a set of strategic partnerships between the school and other community resources that promote student achievement, positive learning conditions, and the well-being of students, families, and the community by providing wraparound services. The Director of Community Schools in MSDE must coordinate professional development for community school coordinators at each community school.

A community school coordinator is responsible for completing an assessment of the needs of the students in the school for appropriate wraparound services to enhance the success of all students in the school, and developing an implementation plan based on the assessment, in cooperation with other interested stakeholders. The needs assessment must (1) include an assessment of the physical, behavioral, mental health needs and wraparound service needs of students, their families, and their communities and (2) be submitted to MSDE and the local school system within one year of receiving a Concentration of Poverty Personnel Grant or within one year of becoming a community school. Local governments are expected to demonstrate support for a community school through meaningful partnerships and support that is supplemental to and does not supplant existing efforts. “Wraparound services” provided by a community school, according to its implementation plan, may involve extended learning time and an extended school year as well as any of a wide range of specified services, supports, and practices.

The fiscal 2025 State budget as passed by the General Assembly includes funding for grants to 131 community schools in Prince George’s County.

### *Suspension and Expulsion in Public Schools*

In accordance with rules developed by each local school board, a principal may suspend a student for cause for up to 10 school days. The principal must provide the suspended student and the student’s parents with a conference during the suspension period and a list of community resources. Upon request by a principal, a local superintendent may suspend a student for more than 10 days or expel a student, subject to investigation, conferencing, and appeal procedures in statute. A student may not be suspended or expelled only for attendance-related offenses but may be subject to in-school suspension for those offenses.

A student who has been suspended or expelled may not return to the classroom until the principal confers with (1) the teacher(s) who referred the student (if appropriate); (2) other appropriate school personnel; (3) the student; and (4) the student's parent or guardian.

If disruptive behavior results in action less than suspension, the principal or designee must confer with the teacher who referred the student prior to the student returning to the teacher's classroom.

### *Discipline Guidelines*

The State Board of Education (SBE) must establish guidelines that define a State code of discipline for all public schools with standards of conduct and consequences for violations of the standards. The guidelines were last updated in 2014. In December 2018, the board established a Task Force on Student Discipline Regulations to review the guidelines and regulations. The task force issued its final report in August 2019, but no changes to the regulations or guidelines were made as a result.

The State board must also (1) upon request, provide technical assistance and training to local school boards on the use of restorative practices and (2) assist each local school board with implementing the guidelines. Each local school board must adopt regulations designed to create and maintain within schools the atmosphere of order and discipline necessary for effective learning. The local regulations must state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. They must also provide for educational and behavioral interventions, restorative approaches, counseling, student and parent conferencing, and alternative programs.

### *Reportable Offenses*

When a student is arrested for a "reportable offense" or an offense related to the student's membership in a criminal organization, the law enforcement agency making the arrest must notify (1) the local superintendent; (2) the school principal; and (3) if appropriate, the school security officer. The law enforcement agency may also notify the State's Attorney.

A reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as specified in current law, and numerous other specified weapons-, drug-, assault-, and theft-related offenses. If a student is removed or excluded from the student's regular school for a reportable offense, the student's attorney (if applicable) must be invited to participate in a conference between the student or the student's parent or guardian and the principal or county superintendent.

Except by order of a juvenile court with good cause shown, information about a student's arrest is confidential and may not be redisclosed, except as specified, and may not be part of the student's permanent educational record. A superintendent may share the information as part of a confidential file with another superintendent or a nonpublic school in the State in which the student has enrolled. The information shared must include information regarding any educational programming and related services provided to the student. SBE is required to adopt regulations to ensure that information obtained by local superintendents, principals, or school security officers is used only for specified educational purposes and is destroyed when the student graduates, otherwise permanently leaves school, or turns 22 years old, whichever comes first.

### *School Facilities Surcharge*

Chapter 432 of 2003 established separate school facilities surcharges for housing constructed inside and outside the Capital Beltway in Prince George's County. The surcharges adjust annually based on inflation. For fiscal 2024, the school facilities surcharge is \$19,826 for each building permit issued, except for buildings that are exempt or subject to a reduced charge. The school facilities surcharge is \$11,560 for permits issued for buildings (1) located between interstate highway 495 and the District of Columbia and (2) included within a Basic Plan or Conceptual Site Plan that abut existing or planned mass transit rail station sites operated by the Washington Metropolitan Area Transit Authority. Proceeds from the surcharge are used to support public school construction projects in the county.

Chapter 351 made several changes to the school facility surcharge in Prince George's County. For a multifamily housing project with a building permit issued on or after April 1, 2019, the school facilities surcharge assessed by Prince George's County is reduced by 50% if the building is constructed (1) within an approved transit district overlay zone or (2) where there is no approved transit district overlay zone, within one-quarter mile of a Metro Station or a MARC Station.

The school facilities surcharge does not apply to a dwelling unit that is a studio apartment or an efficiency apartment if the dwelling unit is located (1) within the regional transit districts and local centers (growth policy areas), as defined in the approved Prince George's County general plan (Plan 2035), including in the area of the approved 2010 Central US 1 Corridor Approved Sector Plan and sectional map amendment; (2) within an approved transit district overlay zone; or (3) where there is no approved transit district overlay zone, within one-quarter mile of a Metro Station or a MARC Station.

Prince George's County may reduce the school facilities surcharge by a percentage up to 50% for dwelling units in multifamily housing constructed where there is no approved transit district overlay zone, within one-quarter mile of a Purple Line station.

Chapter 351 was originally scheduled to terminate June 30, 2021, but Chapter 585 of 2021 extended the termination date to June 30, 2024.

### *School Facilities Surcharge – Reporting Requirement*

Chapter 351, as extended by Chapter 585, also required Prince George’s County to (1) review and make recommendations on the impact of the school facilities surcharge and the public safety and behavioral health surcharge and the need for any changes to the surcharges, including whether changes to the school facilities surcharge and the public safety and behavioral health surcharge might have a positive impact on the ability to construct and maintain affordable housing and (2) report its findings to the Prince George’s County Council, the Prince George’s County School Board, and the members of the Prince George’s County Delegation to the General Assembly by December 1, 2022. The [report](#) was submitted May 1, 2023. *The bill* requires a new report by December 1, 2026.

### **Local Fiscal Effect:**

#### *Student Support Specialist Networks*

The actual cost to implement student support success action plans at each public high school in Prince George’s County depends on the metrics and concrete steps identified in the template developed by the county board of education. To the extent the county board develops a plan that requires additional resources for a student support specialist network to appropriately implement their plans, Prince George’s County school expenditures may increase beginning in fiscal 2025.

The Department of Legislative Services notes that, of the county’s 27 public high schools, 14 qualify for a State personnel grant under the Concentration of Poverty Grant program in fiscal 2025, which can be used for many of the same objectives outlined for the student support specialist networks. However, in schools that do not receive Concentration of Poverty grants, or if the grants are not sufficient to address all of the bill’s requirements, additional county expenditures may be required. The Prince George’s County Public School System estimates that it may need to hire a student support network specialist at each of the 27 public high schools in the county. The salary and fringe benefits for the additional position is estimated to cost \$138,000 annually, resulting in up to \$3.7 million in annual staffing expenditures beginning in fiscal 2025.

#### *School Facilities Surcharge*

Prince George’s County revenues from the school facilities surcharge, which totaled approximately \$47.0 million in fiscal 2023, continue to be less than they otherwise would

be in fiscal 2025 through 2029, depending on the number of eligible properties affected and the amount of the surcharge imposed on those properties. Any reduction in surcharge revenues could result in less revenues dedicated to public school construction projects in the county.

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### **Additional Information**

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

**Designated Cross File:** HB 821 (Prince George's County Delegation) - Ways and Means.

**Information Source(s):** Maryland State Department of Education; Maryland Center for School Safety; Prince George's County; Prince George's County Public Schools; Maryland Association of County Health Officers; Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2024  
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