

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 920 (Delegate Hixson)

Judiciary

Education - Dignity for All Students Act

This bill prohibits a public school or a school that receives or benefits from State financial assistance from discriminating against a person based on gender, race, creed, age, color, national origin, marital status, religion, sexual orientation, or mental or physical disability. Discrimination includes condoning, failing to enforce rules against, or fostering an atmosphere that may lead to the verbal or physical abuse of a person.

This bill takes effect June 1, 2000.

Fiscal Summary

State Effect: The State Board of Education could adopt regulations outlining the nondiscrimination policy within existing resources. State funding for school meals and proposed State funding for textbooks for nonpublic schools could be reduced to the extent that the State Board of Education imposes penalties on nonpublic schools that violate the nondiscrimination policy. It is assumed that public schools would comply with the nondiscrimination policy.

Local Effect: Local boards of education could develop training programs for implementing the nondiscrimination policy with existing resources. Local boards must already comply with State regulations that require all students to be afforded an educational environment that is free from any form of harassment.

Small Business Effect: Potential meaningful impact on private schools due to the penalty provision for violating the nondiscrimination policy.

Analysis

Bill Summary: The State Board of Education must adopt regulations that establish: (1) penalties for violating the nondiscrimination policy; (2) policies to create a school environment that is free from discriminatory attitudes and acts of hate and hate violence; (3) guidelines for training programs; (4) guidelines for the development of nondiscriminatory instructional and counseling methods; and (5) any other necessary programs or guidelines consistent with implementing the nondiscrimination policy.

The guidelines for teacher, principal, or administrator training programs must promote the appreciation of diversity; discourage the development of discriminatory attitudes and practices; enable a teacher, principal, or administrator to prevent and respond to acts of hate violence that occur on school property; and raise the awareness and sensitivity of all school employees to potentially discriminatory behavior.

Current Law: The State Board of Education adopted a regulation in October 1999 that prohibits all forms of harassment. The regulation reads as followings: All students in Maryland's public schools, without exception, have the right to educational environments that are safe, optimal for academic achievement, and free from any form of harassment.

The State board's nondiscrimination/harassment policy, however, does not specifically include sexual orientation as required in this bill. Four local school systems have incorporated sexual orientation in either their nondiscrimination or sexual harassment policies. These school systems are Howard, Montgomery, Prince George's and Talbot counties.

State Fiscal Effect: Approximately 175,600 students attended 1,113 nonpublic schools in Maryland in 1998, representing 17% of all students. The State provides 56 nonpublic schools with approximately \$37,000 in State funds and \$842,000 in federal funds to help cover the cost of school meals for low-income children. In addition, nonpublic schools receive about \$376,000 in federal funds for the special milk program. The proposed fiscal 2001 State budget also includes \$6 million from the Cigarette Restitution Fund to provide textbooks for nonpublic schools. Some nonpublic schools may not be eligible for funding due to the penalty provision of violating the nondiscrimination policy.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Maryland Association of Boards of Education, Department of Legislative Services

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