

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 740
 Ways and Means

(Delegates Simmons and King)

Education, Health, and Environmental Affairs

Safe Schools Reporting Act of 2004

This bill requires the Maryland State Department of Education (MSDE) to require each local board of education to report incidents of harassment or intimidation against public school students that occur on public school property, at school activities or events, or on school buses. An incident of harassment or intimidation may be reported by a student or the parent, guardian, or close adult relative of a student. MSDE must develop a standard Victim of Harassment or Intimidation Report Form that includes specific information about an incident, and local boards of education must distribute copies of the forms to each public school. After deleting information identifying specific individuals, each local board must submit summaries of the forms to the State Board of Education (SBE) by January 31 of each year. MSDE must submit an annual report with aggregate information collected from the Victim of Harassment or Intimidation Report Forms.

The bill takes effect July 1, 2004 and terminates June 30, 2008.

Fiscal Summary

State Effect: General fund expenditures would increase by an estimated \$57,200 in FY 2005 to provide for a new position to monitor the initiative. Future year expenditures reflect annualization, inflation, and the June 30, 2008 termination date. Revenues would not be affected.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	57,200	71,600	75,600	79,900	0
Net Effect	(\$57,200)	(\$71,600)	(\$75,600)	(\$79,900)	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local school systems could participate in the effort with existing resources.

Small Business Effect: None.

Analysis

Current Law: Each local board of education must adopt regulations designed to create and maintain within the schools under its jurisdiction an atmosphere of order and discipline necessary for effective learning. As established in COMAR, all students in Maryland public schools, without exception and regardless of race, ethnicity, region, religion, gender, sexual orientation, language, socioeconomic status, age, or disability, have the right to education environments that are safe, optimal for academic achievement, and free from any form of harassment.

Background: In 1999, after new school safety regulations were adopted by SBE, the board directed MSDE to develop an action plan to ensure that all students attend schools that are safe and free of harassment. A workgroup comprised of MSDE employees and local school system personnel developed a “Safe Schools Action Plan” that involves interventions for students and school staff, as well as parents and communities. The action plan was approved by the State board in January 2000. Local school boards have been required to submit their own safety plans annually since January 2001. At a November 2003 briefing for the House Committee on Ways and Means, MSDE reported that 21 of 24 local school systems had submitted revised plans for the 2003-2004 school year. MSDE also testified that at least six systems submitted “exemplary” plans, meaning they included innovative school safety strategies. Local school systems with exemplary plans include Baltimore, Caroline, Carroll, Harford, Montgomery, and Washington counties. Policies from the exemplary plans will be shared with other school systems.

School safety regulations were recently updated to strengthen the identification of specific student subgroups that are included within the policy. Local school systems are in the process of updating their action plans to make sure they comply with the new regulations.

A July 2001 publication by the National Conference of State Legislatures, *What Works to Keep Schools Safe*, recommended that, in order to enhance school safety, schools should adopt policies designed to meet certain goals. The goals include:

- creating a school environment where students feel safe and problems do not start;

- helping students take the lead in keeping schools safe;
- ensuring that schools have the skills to identify at-risk students and the resources to intervene when problem behavior occurs;
- equipping students and teachers with the skills they need to avoid conflict and violence; and
- helping schools and individuals connect with the community and share resources.

The federal No Child Left Behind legislation enacted in January 2002 requires states to identify “persistently dangerous” schools. A student who attends a dangerous school, as defined by the State, or is the victim of a violent crime while on school grounds must be given the option to transfer to another school in the district. SBE adopted regulations to comply with the federal law in 2003.

State Expenditures: General fund expenditures could increase by an estimated \$57,242 in fiscal 2005, which accounts for the bill’s July 1, 2004 effective date and a 90-day start-up delay. The estimate reflects the cost of hiring one education specialist at MSDE to design the standard Victim of Harassment or Intimidation Form and a database tool to collect information from the forms; establish liaisons at each of the local school systems; ensure that local school systems are complying with the requirements of the bill; monitor the data provided by local school systems; follow-up with local school systems to identify perpetrators’ motives, corrective actions taken at the local level, and forms containing false reports; analyze data; and prepare annual reports. A salary, fringe benefits, one-time start-up costs, and ongoing operating expenses are included in the estimate.

Salary and Fringe Benefits	\$51,992
Start-up and Operating Expenses	<u>5,250</u>
Total FY 2005 State Expenditures	\$57,242

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses. It is assumed that a relatively simple database application to collect data from forms could be constructed by MSDE with existing resources.

Additional Information

Prior Introductions: HB 345 from last year would have prohibited harassment and intimidation on school property and required school employees and students who witness

incidents of harassment and intimidation to report the occurrences. The bill was not reported out of the House Committee on Ways and Means.

Cross File: None.

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

Fiscal Note History: First Reader - March 16, 2004
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