

HOUSE BILL 1312

F1

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By: **Delegates Walker, Olszewski, Rice, and Stukes**

Introduced and read first time: February 18, 2010

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2010

CHAPTER _____

1 AN ACT concerning

2 ~~Education~~ Task Force to Study the Creation of a Maryland Center for
3 School Safety

4 FOR the purpose of ~~creating the Maryland Center for School Safety; creating the~~
5 ~~Board of Directors of the Center; providing for the composition of the Board and~~
6 ~~the staffing of the Center; providing that a member of the Board may not~~
7 ~~receive compensation but may be reimbursed for certain expenses; specifying~~
8 ~~the terms of the initial members of the Board; authorizing the Board to elect~~
9 ~~certain officers; specifying the duties of the Center; requiring the Center to~~
10 ~~report certain findings and recommendations to the Governor and the General~~
11 ~~Assembly on or before a certain date each year; defining certain terms; and~~
12 ~~generally relating to the Maryland Center for School Safety~~ establishing a Task
13 Force to Study the Creation of a Maryland Center for School Safety; providing
14 for the membership, chair, and staffing of the Task Force; providing that a
15 member of the Task Force may not receive compensation but may be
16 reimbursed for certain expenses; requiring the Task Force to study and make
17 recommendations concerning certain matters; requiring the Task Force to
18 submit a report of its findings and recommendations on or before a certain date;
19 providing for the termination of this Act; and generally relating to the Task
20 Force to Study the Creation of a Maryland Center for School Safety.

21 ~~BY adding to~~

22 ~~Article Education~~

23 ~~Section 24-701 through 24-705 to be under the new subtitle "Subtitle 7-~~

24 ~~Maryland Center for School Safety"~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows:~~

~~Article — Education~~

~~SUBTITLE 7. MARYLAND CENTER FOR SCHOOL SAFETY.~~

~~24-701.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE MARYLAND CENTER FOR SCHOOL SAFETY.~~

~~(C) "CENTER" MEANS THE MARYLAND CENTER FOR SCHOOL SAFETY.~~

~~24-702.~~

~~(A) THERE IS A MARYLAND CENTER FOR SCHOOL SAFETY AT BOWIE STATE UNIVERSITY THAT IS GOVERNED BY A BOARD OF DIRECTORS.~~

~~(B) THE PURPOSE OF THE CENTER IS TO SERVE AS:~~

~~(1) A CENTRAL LOCATION IN THE STATE FOR SCHOOL SAFETY INFORMATION, INCLUDING RESEARCH, DATA ANALYSIS, TRAINING, AND TECHNICAL ASSISTANCE RELATED TO SUCCESSFUL SCHOOL SAFETY PROGRAMS; AND~~

~~(2) A RESOURCE FOR THE PREVENTION OF YOUTH VIOLENCE, INCLUDING GANG RELATED VIOLENCE, AND THE PROMOTION OF SCHOOL SAFETY IN THE STATE.~~

~~24-703.~~

~~(A) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:~~

~~(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

1 ~~(3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S~~
2 ~~DESIGNEE;~~

3 ~~(4) THE STATE SUPERINTENDENT, OR THE STATE~~
4 ~~SUPERINTENDENT'S DESIGNEE;~~

5 ~~(5) THE SECRETARY OF JUVENILE SERVICES, OR THE~~
6 ~~SECRETARY'S DESIGNEE;~~

7 ~~(6) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE~~
8 ~~SECRETARY'S DESIGNEE;~~

9 ~~(7) THE SECRETARY OF HUMAN RESOURCES, OR THE~~
10 ~~SECRETARY'S DESIGNEE; AND~~

11 ~~(8) THE FOLLOWING EIGHT MEMBERS, APPOINTED BY THE~~
12 ~~GOVERNOR:~~

13 ~~(I) ONE JUVENILE COURT JUDGE;~~

14 ~~(II) ONE MEMBER OF A COUNTY BOARD OF EDUCATION;~~

15 ~~(III) ONE COUNTY SUPERINTENDENT;~~

16 ~~(IV) ONE PUBLIC SCHOOL PRINCIPAL;~~

17 ~~(V) ONE PUBLIC SCHOOL TEACHER;~~

18 ~~(VI) ONE PUBLIC SCHOOL POLICE OFFICER OR PUBLIC~~
19 ~~SCHOOL RESOURCE OFFICER;~~

20 ~~(VII) ONE PARENT OF A PUBLIC SCHOOL STUDENT; AND~~

21 ~~(VIII) ONE PARENT MEMBER OF A LOCAL CHAPTER OF A~~
22 ~~PARENT AND TEACHER ASSOCIATION.~~

23 ~~(B) (1) THE TERMS OF MEMBERS OF THE BOARD APPOINTED BY THE~~
24 ~~GOVERNOR IS 2 YEARS.~~

25 ~~(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY~~
26 ~~THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2010.~~

27 ~~(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE~~
28 ~~UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

1 ~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN~~
2 ~~SHALL SERVE FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS~~
3 ~~APPOINTED AND QUALIFIES.~~

4 ~~(C) THE GOVERNOR SHALL APPOINT A SUCCESSOR IN THE EVENT OF A~~
5 ~~VACANCY ON THE BOARD.~~

6 ~~(D) A MEMBER OF THE BOARD:~~

7 ~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE~~
8 ~~BOARD; BUT~~

9 ~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~
10 ~~STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE~~
11 ~~BUDGET.~~

12 ~~(E) A MAJORITY OF THE MEMBERS THEN SERVING ON THE BOARD IS A~~
13 ~~QUORUM.~~

14 ~~(F) THE BOARD MAY ELECT FROM AMONG ITS MEMBERS A CHAIR, VICE~~
15 ~~CHAIR, SECRETARY, AND ANY OTHER OFFICERS THE BOARD DEEMS~~
16 ~~APPROPRIATE.~~

17 ~~(G) THE BOARD SHALL MEET QUARTERLY.~~

18 ~~(H) BOWIE STATE UNIVERSITY SHALL PROVIDE APPROPRIATE STAFF~~
19 ~~FOR THE CENTER.~~

20 ~~24-704.~~

21 ~~(A) IN CONSULTATION WITH APPROPRIATE STATE AGENCIES, THE~~
22 ~~CENTER SHALL:~~

23 ~~(1) ESTABLISH A CLEARINGHOUSE FOR INFORMATION AND~~
24 ~~MATERIALS CONCERNING SCHOOL VIOLENCE PREVENTION;~~

25 ~~(2) DEVELOP AND IMPLEMENT A SCHOOL SAFETY TRAINING~~
26 ~~PROGRAM, AND PROVIDE TECHNICAL SUPPORT TO SCHOOLS AND LOCAL LAW~~
27 ~~ENFORCEMENT AGENCIES, THAT INCLUDES:~~

28 ~~(i) DEVELOPMENT OF A POSITIVE SCHOOL ENVIRONMENT~~
29 ~~AND PROTECTIVE SAFETY MEASURES DESIGNED TO ADDRESS LOCAL~~
30 ~~CONCERNS;~~

1 ~~(II) SCHOOL SAFETY COURSES FOR LAW ENFORCEMENT~~
2 ~~OFFICIALS WITH AN EMPHASIS ON SCHOOL POLICE OFFICERS OR SCHOOL~~
3 ~~RESOURCE OFFICERS;~~

4 ~~(III) DISCUSSION OF SCHOOL SAFETY ISSUES WITH PARENTS~~
5 ~~AND COMMUNITY MEMBERS; AND~~

6 ~~(IV) ASSISTANCE IN THE REVIEW AND UPDATING OF~~
7 ~~EMERGENCY PREPAREDNESS PLANS;~~

8 ~~(3) PREPARE AND DISSEMINATE INFORMATION REGARDING BEST~~
9 ~~PRACTICES IN CREATING SAFE AND EFFECTIVE SCHOOLS;~~

10 ~~(4) PROMOTE THE FORMATION OF INTERAGENCY EFFORTS TO~~
11 ~~ADDRESS DISCIPLINE AND SAFETY ISSUES WITHIN COMMUNITIES THROUGHOUT~~
12 ~~THE STATE IN COLLABORATION WITH OTHER POSTSECONDARY INSTITUTIONS~~
13 ~~AND WITH LOCAL JUVENILE SERVICES AGENCIES;~~

14 ~~(5) DEVELOP MODEL INTERAGENCY AGREEMENTS BETWEEN~~
15 ~~LOCAL SCHOOL SYSTEMS, HEALTH DEPARTMENTS, DEPARTMENTS OF SOCIAL~~
16 ~~SERVICES, MENTAL HEALTH AGENCIES, AND JUVENILE COURTS IN ORDER TO~~
17 ~~PROVIDE COOPERATIVE SERVICES AND SHARING OF COSTS FOR SERVICES TO~~
18 ~~STUDENTS WHO ARE AT RISK OF FAILURE IN SCHOOL, ARE AT RISK OF~~
19 ~~PARTICIPATION IN JUVENILE CRIME, OR HAVE BEEN EXPELLED FROM A LOCAL~~
20 ~~SCHOOL SYSTEM;~~

21 ~~(6) SUBJECT TO THE FEDERAL FAMILY EDUCATIONAL RIGHTS~~
22 ~~AND PRIVACY ACT, 20 U.S.C., § 1232(G), COLLABORATE WITH THE~~
23 ~~DEPARTMENT TO ESTABLISH AND MAINTAIN A STATEWIDE DATA COLLECTION~~
24 ~~SYSTEM BY WHICH LOCAL SCHOOL SYSTEMS REPORT, BY GENDER, RACE, AND~~
25 ~~GRADE LEVEL;~~

26 ~~(I) ALL INCIDENTS OF VIOLENCE AND ASSAULT AGAINST~~
27 ~~SCHOOL EMPLOYEES AND STUDENTS;~~

28 ~~(II) ALL INCIDENTS OF POSSESSION OF GUNS OR OTHER~~
29 ~~DEADLY WEAPONS ON SCHOOL PROPERTY OR AT SCHOOL FUNCTIONS;~~

30 ~~(III) ALL INCIDENTS OF THE POSSESSION OR USE OF~~
31 ~~ALCOHOL, PRESCRIPTION DRUGS, OR CONTROLLED DANGEROUS SUBSTANCES~~
32 ~~ON SCHOOL PROPERTY OR AT SCHOOL FUNCTIONS;~~

33 ~~(IV) ALL INCIDENTS IN WHICH A STUDENT HAS BEEN~~
34 ~~DISCIPLINED BY THE SCHOOL OR CHARGED CRIMINALLY FOR CONDUCT~~

~~1 OCCURRING ON SCHOOL PROPERTY, SCHOOL TRANSPORTATION, OR AT A
2 SCHOOL FUNCTION; AND~~

~~3 (V) THE NUMBER OF SUSPENSIONS AND EXPULSIONS;~~

~~4 (7) ANALYZE THE DATA COLLECTED UNDER PARAGRAPH (6) OF
5 THIS SUBSECTION;~~

~~6 (8) DEVELOP SECURITY CRITERIA THAT LOCAL SCHOOL SYSTEMS
7 MAY CONSIDER IN THE DESIGN OF NEW SCHOOL CONSTRUCTION;~~

~~8 (9) (I) DEVELOP A MODEL SAFETY AND SECURITY AUDIT
9 PROCEDURE FOR USE BY LOCAL SCHOOL SYSTEMS THAT PROVIDES EACH LOCAL
10 SCHOOL SYSTEM WITH GUIDELINES AND A TRAINING VIDEO SHOWING PROPER
11 AUDIT PROCEDURES;~~

~~12 (II) REVIEW EACH LOCAL SCHOOL SYSTEM SAFETY AND
13 SECURITY AUDIT AND MAKE RECOMMENDATIONS FOR IMPROVEMENTS BASED
14 ON THE AUDIT; AND~~

~~15 (III) INCORPORATE THE FINDINGS OF LOCAL SCHOOL
16 SYSTEM AUDITS IN A STATEWIDE REPORT ON SCHOOL SAFETY;~~

~~17 (10) ON THE REQUEST OF A LOCAL SCHOOL SYSTEM, PROVIDE
18 ON SITE TECHNICAL ASSISTANCE TO THE SYSTEM FOR SCHOOL SAFETY AND
19 SECURITY AUDITS; AND~~

~~20 (11) DEVELOP AND MAINTAIN A WEBSITE THAT INCLUDES:~~

~~21 (I) QUARTERLY NEWS UPDATES RELATED TO SCHOOL
22 SAFETY AND VIOLENCE PREVENTION;~~

~~23 (II) SCHOOL CRIME DATA; AND~~

~~24 (III) SCHEDULES OF SCHOOL SAFETY TRAINING.~~

~~25 (B) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD SHALL
26 REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE
27 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS
28 AND RECOMMENDATIONS MADE BY THE CENTER RELATING TO SCHOOL SAFETY
29 AND THE FUNCTIONS, BUDGET, AND STRATEGIC PLANNING INITIATIVES OF THE
30 CENTER.~~

~~(A) THE CENTER MAY ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE ENTITIES TO USE FOR THE PURPOSES OF THIS SUBTITLE.~~

~~(B) THE OPERATION OF THE CENTER SHALL BE SUPPORTED BY FUNDS:~~

~~(1) AS PROVIDED BY THE GOVERNOR IN THE ANNUAL BUDGET;~~
AND

~~(2) FROM ANY OTHER SOURCE AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial appointed members of the Board of Directors of the Maryland Center for School Safety shall expire as follows:~~

~~(1) three members in 2011;~~

~~(2) three members in 2012; and~~

~~(3) two members in 2013.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.~~

(a) There is a Task Force to Study the Creation of a Maryland Center for School Safety.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Attorney General, or the Attorney General's designee;

(4) the State Superintendent, or the State Superintendent's designee;

(5) the Secretary of Juvenile Services, or the Secretary's designee;

(6) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(7) the Secretary of Human Resources, or the Secretary's designee;
and

- 1 (8) the following members appointed by the Governor:
- 2 (i) one juvenile court judge;
- 3 (ii) one member of a county board of education;
- 4 (iii) one county superintendent;
- 5 (iv) one public school principal;
- 6 (v) one public school teacher;
- 7 (vi) one public school police officer or public school resource
8 officer;
- 9 (vii) one parent of a public school student; and
- 10 (viii) one parent member of a local chapter of a parent and
11 teacher association.
- 12 (c) The Governor shall designate the chair of the Task Force.
- 13 (d) Bowie State University shall provide staff for the Task Force.
- 14 (e) A member of the Task Force:
- 15 (1) may not receive compensation as a member of the Task Force; but
- 16 (2) is entitled to reimbursement for expenses under the Standard
17 State Travel Regulations, as provided in the State budget.
- 18 (f) The Task Force shall make findings and recommendations concerning the
19 establishment of a Maryland Center for School Safety, including the following issues:
- 20 (1) establishing a clearinghouse for information and materials
21 concerning school safety;
- 22 (2) developing a school safety training program that includes:
- 23 (i) development of a positive school environment and protective
24 safety measures designed to address local concerns;
- 25 (ii) school safety courses for law enforcement officials with an
26 emphasis on school police officers or school resource officers;
- 27 (iii) discussion of school safety issues with parents and
28 community members; and

1 (iv) assistance in the review and updating of emergency
2 preparedness plans;

3 (3) preparing and disseminating information regarding best practices
4 in creating safe and effective schools;

5 (4) promoting the formation of interagency efforts to address discipline
6 and safety issues within communities throughout the State in collaboration with other
7 postsecondary institutions and with local juvenile services agencies;

8 (5) developing model interagency agreements between local school
9 systems, health departments, departments of social services, mental health agencies,
10 and juvenile courts in order to provide cooperative services and sharing of costs for
11 services to students who are at risk of failure in school, are at risk of participation in
12 juvenile crime, or have been expelled from a local school system;

13 (6) subject to the federal Family Educational Rights and Privacy Act,
14 20 U.S.C., § 1232(g), collaborating with the State Department of Education to
15 establish and maintain a statewide data collection system by which local school
16 systems report, by gender, race, and grade level;

17 (i) all incidents of violence and assault against school
18 employees and students;

19 (ii) all incidents of possession of guns or other deadly weapons
20 on school property or at school functions;

21 (iii) all incidents of the possession or use of alcohol, prescription
22 drugs, or controlled dangerous substances on school property or at school functions;

23 (iv) all incidents in which a student has been disciplined by the
24 school or charged criminally for conduct occurring on school property, school
25 transportation, or at a school function; and

26 (v) the number of suspensions and expulsions;

27 (7) analyzing data collected under paragraph (6) of this subsection;

28 (8) developing security criteria that local school systems may consider
29 in the design of new school construction;

30 (9) (i) developing a model safety and security audit procedure for
31 use by local school systems that provides each local school system with guidelines and
32 a training video showing proper audit procedures;

1 (ii) reviewing each local school system safety and security audit
 2 and making recommendations for improvements based on the audit; and

3 (iii) incorporating the findings of local school system audits in a
 4 statewide report on school safety;

5 (10) on the request of a local school system, providing
 6 on-site technical assistance to the system for school safety and security audits; and

7 (11) developing and maintaining a website that includes:

8 (i) quarterly news updates related to school safety and violence
 9 prevention;

10 (ii) school crime data; and

11 (iii) schedules of school safety training.

12 (g) On or before July 1, 2011, the Task Force shall report its findings and
 13 recommendations to the Governor and, in accordance with § 2-1246 of the State
 14 Government Article, the General Assembly.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 16 June 1, 2010. It shall remain effective for a period of 2 years and 1 month and, at the
 17 end of June 30, 2012, with no further action required by the General Assembly, this
 18 Act shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.