

HOUSE BILL 439

F1

9lr1277

By: **Delegates Washington and Charkoudian**

Introduced and read first time: January 31, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2019

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – School Resource Officers – Prohibited Conduct**

3 FOR the purpose of prohibiting a school administrator or official or a school safety
4 coordinator from directing a school resource officer ~~or a school security employee~~ to
5 ~~participate in the routine school discipline of a student~~ enforce certain
6 discipline-related policies, rules, regulations, or procedures; prohibiting a school
7 resource officer ~~or a school security employee~~ from ~~participating in the routine school~~
8 ~~discipline of a student~~ unilaterally enforcing certain discipline-related policies,
9 rules, regulations, or procedures; requiring a certain curriculum to include training
10 in conduct that is prohibited for school resource officers; and generally relating to
11 prohibited conduct of school administrators or officials, school safety coordinators,
12 and school resource officers,~~and school security employees.~~

13 BY repealing and reenacting, with amendments,

14 Article – Education

15 Section 7–1508

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 7–1508.

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.



1 (a) (1) Each local school system shall designate a school safety coordinator.

2 (2) A designated school safety coordinator shall:

3 (i) Be certified by the Center; and

4 (ii) Serve as a liaison between the local school system, the local law
5 enforcement agency, and the Center.

6 **(B) (1) A SCHOOL ADMINISTRATOR OR OFFICIAL OR A SCHOOL SAFETY**
7 **COORDINATOR MAY NOT DIRECT A SCHOOL RESOURCE OFFICER ~~OR A SCHOOL~~**
8 **~~SECURITY EMPLOYEE TO PARTICIPATE IN THE ROUTINE SCHOOL DISCIPLINE OF A~~**
9 **~~STUDENT UNILATERALLY ENFORCE DISCIPLINE-RELATED SCHOOL POLICIES, RULES,~~**
10 **REGULATIONS, OR PROCEDURES.**

11 **(2) A SCHOOL RESOURCE OFFICER ~~OR A SCHOOL SECURITY~~**
12 **~~EMPLOYEE MAY NOT PARTICIPATE IN THE ROUTINE SCHOOL DISCIPLINE OF A~~**
13 **~~STUDENT UNILATERALLY ENFORCE DISCIPLINE-RELATED SCHOOL POLICIES,~~**
14 **RULES, REGULATIONS, OR PROCEDURES.**

15 **[(b)] (C) (1) (i)** On or before September 1, 2018, the Center, in
16 consultation with local school systems, shall:

17 1. Develop a specialized curriculum for use in training of
18 school resource officers and school security employees; and

19 2. Submit the curriculum to the Maryland Police Training
20 and Standards Commission for approval.

21 (ii) The specialized curriculum developed under this subsection shall
22 include training in:

23 1. De-escalation;

24 2. Disability awareness;

25 3. Maintaining a positive school climate;

26 4. Constructive interactions with students; **[and]**

27 5. Implicit bias and disability and diversity awareness with
28 specific attention to racial and ethnic disparities; **AND**

29 **6. PROHIBITED CONDUCT.**

1 (iii) 1. The specialized curriculum developed under this
2 subsection may not go into effect until it is approved by the Maryland Police Training and
3 Standards Commission.

4 2. If the Maryland Police Training and Standards
5 Commission does not initially approve the specialized curriculum, the Center shall amend
6 the curriculum until it meets with the Commission's approval.

7 (2) On or before March 1, 2019, the Center shall develop and submit to the
8 Maryland Police Training and Standards Commission for approval a model training
9 program that meets the requirements of the curriculum approved under paragraph (1) of
10 this subsection.

11 (3) Each local law enforcement agency shall:

12 (i) Enroll individuals assigned to be school resource officers in the
13 model training program developed by the Center under paragraph (2) of this subsection; or

14 (ii) 1. Submit to the Maryland Police Training and Standards
15 Commission for approval a training program that is consistent with the curriculum
16 developed under paragraph (1) of this subsection; and

17 2. Enroll individuals assigned to be school resource officers
18 in the training program developed under this subparagraph.

19 (4) Beginning September 1, 2019, to be assigned as a school resource officer
20 an individual shall:

21 (i) Complete:

22 1. The model training program developed by the Center
23 under paragraph (2) of this subsection through instruction provided by the Center in
24 collaboration with the Maryland Police Training and Standards Commission; or

25 2. A local law enforcement agency's training program
26 developed under paragraph (3)(ii) of this subsection; and

27 (ii) Be certified by the Maryland Police Training and Standards
28 Commission.

29 (5) Beginning September 1, 2019, to be employed as a school security
30 employee at a public school, an individual shall complete:

31 (i) The model training program developed by the Center under
32 paragraph (2) of this subsection through instruction provided by the Center in collaboration
33 with the Maryland Police Training and Standards Commission; or

1 (ii) A local law enforcement agency's training program developed
2 under paragraph (3)(ii) of this subsection.

3 **[(c)] (D)** The Center shall collect data regarding the school resource officers in
4 each local school system, including:

5 (1) The number of full-time and part-time school resource officers
6 assigned to each elementary school, middle school, and high school; and

7 (2) Any other local school system employees or local law enforcement
8 officers who are fulfilling the role of a school resource officer.

9 **[(d)] (E)** (1) On or before December 15, 2018, the Center, in collaboration
10 with local law enforcement agencies and local school systems, shall analyze the initial data
11 collected under subsection **[(c)] (D)** of this section and develop guidelines to assist local
12 school systems in:

13 (i) Identifying the appropriate number and assignment of school
14 resource officers, including supplemental coverage by local law enforcement agencies; and

15 (ii) Collaborating and communicating with local law enforcement
16 agencies.

17 (2) On or before July 1, 2019, each local school system, in consultation with
18 local law enforcement agencies, shall:

19 (i) Develop a plan to implement the guidelines developed by the
20 Center; and

21 (ii) Submit the plan to the Center for review and comment.

22 **[(e)] (F)** (1) Before the 2018–2019 school year begins, each local school
23 system shall file a report with the Center identifying:

24 (i) The public high schools in the local school system's jurisdiction
25 that have a school resource officer assigned to the school; and

26 (ii) If a public high school in the local school system's jurisdiction is
27 not assigned a school resource officer, the adequate local law enforcement coverage that
28 will be provided to the public high school.

29 (2) Beginning with the 2019–2020 school year, and each school year
30 thereafter, before the school year begins, each local school system shall, in accordance with
31 the plan developed under subsection **[(d)(2)] (E)(2)** of this section, file a report identifying:

32 (i) The public schools in the local school system's jurisdiction that
33 have a school resource officer assigned to the school; and

1 (ii) If a public school in the local school system's jurisdiction is not
2 assigned a school resource officer, the adequate local law enforcement coverage that will be
3 provided to the public school.

4 (3) On or before October 1, 2018, and each October 1 thereafter, the Center
5 shall submit a summary of the reports required under this subsection to the Governor and,
6 in accordance with § 2-1246 of the State Government Article, the General Assembly.

7 **[(f)] (G)** Each local school system shall post on the school system's website
8 information on the role and authority of school resource officers assigned to public schools
9 within the school system.

10 **[(g)] (H)** (1) For fiscal year 2020 and each fiscal year thereafter, the Governor
11 shall appropriate in the annual State budget \$10,000,000 to the Fund for the purpose of
12 providing grants to local school systems and local law enforcement agencies to assist in
13 meeting the requirements of subsection **[(e)] (F)** of this section.

14 (2) Grants provided under this subsection shall be made to each local
15 school system based on the number of schools in each school system in proportion to the
16 total number of public schools in the State in the prior year.

17 **[(h)] (I)** (1) The Center shall collect data on incidents of use of force between:

18 (i) Any school resource officer and a student while a school resource
19 officer is carrying out the officer's duties; and

20 (ii) Any school security employee and a student while the school
21 security employee is carrying out the employee's duties.

22 (2) On or before December 1, 2020, and each December 1 thereafter, the
23 Center shall submit a report on the data collected under paragraph (1) of this subsection
24 for each jurisdiction, in accordance with federal and State law, to the Governor and, in
25 accordance with § 2-1246 of the State Government Article, the General Assembly.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2019.