

HOUSE BILL 876

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9lr1520
CF SB 798

By: **Delegates Hettleman, Acevero, B. Barnes, Barron, Chang, Jackson, Korman, Krimm, Lierman, Reznik, Solomon, Terrasa, Valentino-Smith, and P. Young**

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Policy on Student Concerns About Athletic Programs and**
3 **Activities**

4 FOR the purpose of requiring each institution of higher education to develop and adopt a
5 certain policy that meets certain requirements on or before a certain date;
6 authorizing an institution of higher education to make changes to the policy under
7 certain circumstances; requiring each institution of higher education to post the
8 policy and any changes to the policy on the institution’s website; requiring each
9 institution of higher education to ensure that each student who participates in the
10 institution’s athletic programs or activities has a copy of the policy and any changes
11 to the policy; requiring each institution of higher education to submit to the
12 Maryland Higher Education Commission and certain committees of the General
13 Assembly the policy and any changes to the policy by a certain date; requiring each
14 institution of higher education to submit to the Commission on or before a certain
15 date each year the number of students who shared concerns under the policy;
16 requiring the Commission to report a summary of certain submissions to certain
17 committees of the General Assembly on or before a certain date each year; providing
18 for the application of this Act; and generally relating to a policy on student concerns
19 about athletic programs and activities.

20 BY adding to

21 Article – Education

22 Section 11–1601 to be under the new subtitle “Subtitle 16. Policy on Student

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 Concerns About Athletic Programs and Activities”
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2018 Supplement)

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

6 **Article – Education**

7 **SUBTITLE 16. POLICY ON STUDENT CONCERNS ABOUT ATHLETIC PROGRAMS AND**
8 **ACTIVITIES.**

9 **11-1601.**

10 (A) THIS SECTION DOES NOT APPLY TO AN INSTITUTION OF HIGHER
11 EDUCATION THAT DOES NOT HAVE AN ATHLETIC PROGRAM OR ADMINISTER
12 ATHLETIC ACTIVITIES.

13 (B) (1) ON OR BEFORE OCTOBER 1, 2019, EACH INSTITUTION OF HIGHER
14 EDUCATION SHALL DEVELOP AND ADOPT A WRITTEN POLICY FOR RECEIVING AND
15 ADDRESSING STUDENT CONCERNS ABOUT THE INSTITUTION’S ATHLETIC PROGRAMS
16 AND ACTIVITIES THAT INCLUDES:

17 (I) A PROCESS THROUGH WHICH STUDENTS CAN SHARE
18 CONCERNS ABOUT THE INSTITUTION’S ATHLETIC PROGRAMS AND ACTIVITIES WITH
19 THE INSTITUTION’S ADMINISTRATION, INCLUDING SENIOR OFFICIALS WITHIN THE
20 ADMINISTRATION WHO ARE NOT DIRECTLY INVOLVED WITH THE MANAGEMENT OF
21 ATHLETIC PROGRAMS OR ACTIVITIES;

22 (II) AN OPTION FOR STUDENTS TO SUBMIT THEIR CONCERNS
23 CONFIDENTIALLY; AND

24 (III) A PROHIBITION ON RETALIATING OR DISCRIMINATING
25 AGAINST STUDENTS WHO SHARE THEIR CONCERNS UNDER THE POLICY.

26 (2) AN INSTITUTION OF HIGHER EDUCATION MAY MAKE CHANGES TO
27 THE POLICY IF THE CHANGES MEET THE REQUIREMENTS OF THIS SECTION.

28 (C) EACH INSTITUTION OF HIGHER EDUCATION SHALL:

29 (1) POST THE POLICY AND ANY CHANGES TO THE POLICY ON THE
30 INSTITUTION’S WEBSITE; AND

31 (2) ENSURE THAT EACH STUDENT WHO PARTICIPATES IN THE

1 INSTITUTION’S ATHLETIC PROGRAMS OR ACTIVITIES HAS A COPY OF THE POLICY
2 AND ANY CHANGES TO THE POLICY.

3 (D) EACH INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT TO THE
4 COMMISSION AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
5 ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS
6 COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE:

7 (1) ON OR BEFORE OCTOBER 1, 2019, THE WRITTEN POLICY
8 ADOPTED IN ACCORDANCE WITH SUBSECTION (B)(1) OF THIS SECTION; AND

9 (2) ANY CHANGES TO THE POLICY.

10 (E) (1) ON OR BEFORE JULY 1, 2020, AND EACH JULY 1 THEREAFTER,
11 EACH INSTITUTION OF HIGHER EDUCATION SHALL REPORT TO THE COMMISSION ON
12 THE NUMBER OF STUDENTS WHO SHARED CONCERNS UNDER THE INSTITUTION’S
13 POLICY DURING THE IMMEDIATELY PRECEDING FISCAL YEAR.

14 (2) ON OR BEFORE AUGUST 1, 2020, AND EACH AUGUST 1
15 THEREAFTER, THE COMMISSION SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF
16 THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND
17 ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE APPROPRIATIONS
18 COMMITTEE A SUMMARY OF THE SUBMISSIONS UNDER PARAGRAPH (1) OF THIS
19 SUBSECTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.