

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 327 (Delegates Washington and Ivey)
Ways and Means

Public Schools - School Resource Officers - Prohibited Conduct

This bill prohibits a school administrator or official or a school safety coordinator from directing a school resource officer (SRO) to enforce discipline-related school policies, rules, regulations, or procedures. It also bars an SRO from unilaterally enforcing discipline-related school policies, rules, regulations, or procedures, and requires that training provided to them reflect that prohibition. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: Any changes necessitated by the bill to the training curriculum for SROs can likely be handled with existing resources. Revenues are not affected.

Local Effect: To the extent SROs need to be retrained, local school systems may be able to use existing grant funds from the State to do so. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Chapter 30 of 2018 (Maryland Safe to Learn Act) defined an SRO as (1) a law enforcement officer assigned to a school in accordance with a memorandum of understanding between a local law enforcement agency and a local school system or (2) a Baltimore City School Police Officer, as defined in current law.

Under Chapter 30, the Maryland Center for School Safety (MCSS) developed, in consultation with local school systems, a specialized curriculum to be used in training SROs. The curriculum was submitted to and approved by the Maryland Police Training

and Standards Commission (MPTSC). Chapter 30 also required MCSS to develop and submit to MPTSC for approval by March 1, 2019, a model training program based on the curriculum, which it has now done. Each local law enforcement agency must enroll SROs either in (1) the MCSS model training program or (2) a local training program approved by MPTSC that is consistent with the approved curriculum. All SROs were required to complete an approved specialized training program by September 1, 2019.

MCSS must collect specified data on SROs and, in collaboration with local law enforcement and school systems, develop guidelines based on its analysis of the data to assist local school systems in (1) identifying the appropriate number and assignment of SROs, including supplemental coverage by local law enforcement agencies and (2) collaborating and communicating with local law enforcement agencies. By July 1, 2019, each local school system must have developed a plan in consultation with local law enforcement to implement the guidelines and submit its plan to MCSS for review and comment.

Beginning with the 2019-2020 school year, before the school year begins, each local school system must annually file a report with MCSS that identifies (1) the public schools that have an SRO assigned and (2) if no SRO is assigned to a public school, the adequate local law enforcement coverage that will be provided to the school. MCSS must submit annual summaries of the SRO/law enforcement coverage reports it receives to the Governor and General Assembly. MCSS must also collect and report annually data on specified incidents of use of force involving SROs or school security employees.

Beginning in fiscal 2020 and each year thereafter, the Governor must include \$10.0 million for the Safe Schools Fund to provide grants to local school systems and law enforcement agencies to meet the SRO/law enforcement coverage requirements; the Governor's proposed fiscal 2021 State budget includes the funding. Grants must be made based on the proportion of public schools in each jurisdiction.

Background: During the 2019-2020 school year, MCSS reports that 360 out of 1,427 schools (25%) are assigned one or more SROs, with the remaining 1,067 schools arranging for adequate law enforcement coverage as required by Chapter 30. All but two high schools in the State have SROs. By comparison, 56% of middle schools and 3% of elementary schools are assigned SROs.

Additional Information

Prior Introductions: As amended, HB 439 of 2019 was identical to this bill. It passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland School for the Deaf; Anne Arundel County Public Schools; Montgomery County Public Schools; Department of Legislative Services

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mr/rhh

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