A BILL ENTITLED

AN ACT concerning

Primary and Secondary Education – Title IX – Policies and Procedures
(Hear Our Voices Act of 2022)

FOR the purpose of requiring the State Board of Education to develop policies and procedures for reporting, administering, investigating, and resolving complaints related to incidents of sexual misconduct and violations of a certain federal law; authorizing a person to bring a civil action against a local system that fails to comply with certain policies and procedures and to recover damages, reasonable costs, and attorney’s fees; and generally relating to sexual misconduct complaints and Title IX compliance.

BY adding to
Article – Education
Section 7–450
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

7–450.

(A) ON OR BEFORE MARCH 31, 2023, THE STATE BOARD, AFTER CONSULTATION WITH LOCAL SCHOOL SYSTEMS, SHALL DEVELOP POLICIES AND PROCEDURES FOR REPORTING, ADMINISTERING, INVESTIGATING, AND RESOLVING
COMPLAINTS RELATED TO INCIDENTS OF SEXUAL MISCONDUCT AND TITLE IX OF THE EDUCATION AMENDMENTS OF 1972.

(B) THE POLICIES AND PROCEDURES DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION SHALL REQUIRE:

(1) THE DEPARTMENT TO DEVELOP A DATABASE FOR ADMINISTRATORS TO UPLOAD SEXUAL MISCONDUCT COMPLAINTS; AND

(2) A PUBLIC SCHOOL TO:

(1) NOTIFY THE PARENT OR GUARDIAN OF A STUDENT WHO FILES A COMPLAINT RELATED TO SEXUAL MISCONDUCT;

(II) COLLECT DATA ON SEXUAL MISCONDUCT COMPLAINTS AND REPORT THE DATA TO THE DEPARTMENT EACH YEAR; AND

(III) INFORM STUDENTS, FACULTY, AND STAFF OF:

1. WHO SERVES AS THE TITLE IX COORDINATOR FOR THE SCHOOL; AND

2. HOW TO FILE A SEXUAL MISCONDUCT COMPLAINT.

(C) A PERSON MAY:

(1) BRING A CIVIL ACTION AGAINST A LOCAL SCHOOL SYSTEM THAT FAILS TO COMPLY WITH THE POLICIES AND PROCEDURES DEVELOPED UNDER THIS SECTION; AND

(2) RECOVER DAMAGES, REASONABLE COSTS, AND ATTORNEY’S FEES.

(D) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.