

# SENATE BILL 887

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CF HB 472

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By: **Senator Lee**

Introduced and read first time: February 7, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

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

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

11 BY adding to  
12 Article – Education  
13 Section 7–450  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume and 2021 Supplement)

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

18 **Article – Education**

19 **7–450.**

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5           **(2) A PUBLIC SCHOOL TO:**

6                   **(I) NOTIFY THE PARENT OR GUARDIAN OF A STUDENT WHO**  
7 **FILES A COMPLAINT RELATED TO SEXUAL MISCONDUCT;**

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

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

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

13                           2. **HOW TO FILE A SEXUAL MISCONDUCT COMPLAINT.**

14           **(C) A PERSON MAY:**

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

18                   **(2) RECOVER DAMAGES, REASONABLE COSTS, AND ATTORNEY'S**  
19 **FEES.**

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

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2022.