

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 515
 Ways and Means

(Delegate Solomon, *et al.*)

Education, Energy, and the Environment

Public Schools - Active Shooter Safety Drills or Trainings - Requirements

This bill prohibits active shooter drills or trainings in schools from including specified activities that may be traumatic for students or school personnel. It also requires local school systems to (1) notify parents in advance of active shooter drills or trainings in schools; (2) provide mental health follow-up to students and school personnel after an active shooter drill or training; and (3) collect data on the effectiveness and psychological impact of the drills or trainings and report the data to the Maryland Center for School Safety (MCSS) for further analysis. Finally, the bill requires MCSS to develop and distribute model content regarding the State’s firearm storage laws, as specified. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by \$200,000 in FY 2024 and by \$100,000 annually thereafter for analysis of the local school system data. MCSS can likely otherwise implement the bill with existing budgeted resources. Revenues are not directly affected, as discussed below.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	200,000	100,000	100,000	100,000	100,000
Net Effect	(\$200,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local school system expenditures may increase to provide mental health follow-up for students and school personnel, but a reliable estimate is not feasible. No effect on revenues. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary:

Maryland Center for School Safety and Model Policy

MCSS must collaborate with an institution of higher education or federal or national research entity to study the effectiveness and psychological impact of active shooter safety drills or trainings by researching and analyzing data collected from local school systems. By October 1, 2023, MCSS must identify best practices for active shooter safety drills or trainings and periodically update them using data collected from local school systems.

Active Shooter Safety Drills and Trainings

Except for a voluntary drill or training occurring after school hours, active shooter safety drills or trainings may not include (1) loud sounds intended to imitate gun fire or explosions; (2) live exercises with individuals role-playing as an active shooter or victim; or (3) similar activities that may cause the drill to be traumatic for students or school personnel.

Before the 2024-2025 school year and annually thereafter, the Maryland State Department of Education (MSDE) must review the best practices for active shooter safety drills or trainings identified by MCSS and update any drills and trainings that have been incorporated into the annual schedule of drills to reflect best practices. Items incorporated into the annual schedule of drills for local school systems may take the form of a training rather than a drill. Further, drills or trainings incorporated into the annual schedule must be developmentally and age appropriate.

Each local school system must:

- provide parents with the annual schedule of active shooter safety drills or trainings at the beginning of the school year, including specified information;
- announce drills or trainings in advance to students and school personnel;
- notify parents after a drill or training has taken place;
- provide mental health follow-up for students and school personnel after a drill or training;
- identify and provide support to students or school personnel who may require additional support during and after a drill or training, as specified; and
- collect and report to MCSS data on the effectiveness and psychological impact of the drills or trainings, including requesting feedback from school personnel, parents, and students.

Model Content on Firearm Storage Laws

By July 1, 2024, MCSS, in consultation with the Department of State Police (DSP), must develop model content that informs parents of the State's firearm storage laws. MCSS must evaluate and update the model content as needed each year. At the beginning of each school year, each local school system must distribute the model content to parents.

Current Law:

Maryland Center for School Safety and School Safety Subcabinet

Chapter 372 of 2013 established MCSS as an independent unit within State government under the direction of a governing board chaired by the State Superintendent of Schools. It mandated that the Governor include \$500,000 annually for the center's operations. Chapter 30 of 2018, the Maryland Safe to Learn Act, made MCSS an independent unit within MSDE under the direction of the School Safety Subcabinet, consisting of the following individuals or their designees:

- the State Superintendent of Schools;
- the Secretary of Health;
- the Secretary of State Police;
- the Attorney General;
- the Secretary of the Department of Disabilities; and
- the Executive Director of the Interagency Committee on School Construction.

Chapter 30 also increased the mandated appropriation for MCSS's operations to \$2.0 million annually.

Safety Drills for Public Schools

MSDE, in consultation with the School Safety Subcabinet, may adopt regulations to incorporate developmentally and age-appropriate components of the Active Shooter Preparedness Program developed by the federal Department of Homeland Security or guidelines developed by the Maryland Active Assailant Work Group into the annual schedule of school safety drills. MSDE must notify the Governor and the Legislative Policy Committee of any changes to the schedule of drills in regulation. Local school systems must collaborate with local law enforcement agencies to establish policies for responding to an emergency at each public school.

MSDE's 2019 update of its *Emergency Planning Guidelines for Local School Systems and Schools* recommends carrying out the following five types of drills at least once per year:

- **evacuation:** students and staff are led to the closest and safest way out of the building and roll is taken;
- **reverse evacuation:** students and staff are moved as quickly as possible back into secure buildings and roll is taken;
- **lock-down:** students are instructed to report to the nearest classroom and close and lock all doors and windows;
- **shelter-in-place:** students and staff report to assigned locations (ideally away from windows and in the core of the building); and
- **drop, cover, and hold:** students and staff take cover under a desk, away from windows, cover their eyes, make efforts to protect vital organs, and hold onto desk legs.

State regulations require each local school system to develop and implement an annual schedule for drills for each school that, in addition to fire drills, must include the five types of drills specified above, plus a severe weather drill. They do not specifically require any active shooter safety drills.

State Fiscal Effect: The bill requires MCSS to collaborate with an institution of higher education or federal or national research entity to study the effectiveness and impact of active shooter safety drills or trainings by researching and analyzing data collected from local school systems. As MCSS lacks staff expertise regarding program evaluation, this analysis assumes that it contracts with an institution of higher education or other entity to conduct the necessary research and analysis of active shooter safety drills or trainings. It further assumes that the contracted entity coordinates all data collection and reporting with local school systems and reports findings to MCSS. The bill's requirement to assess and analyze data from local school systems is ongoing.

Therefore, general fund expenditures increase by \$200,000 in fiscal 2024 and by \$100,000 annually thereafter for MCSS to contract with an institution of higher education or other entity to collect, analyze, and report data on the effectiveness and impact of the drills or trainings on students and school personnel. This assumes that initial start-up costs include (1) developing survey and other data collection instruments to collect data from students, school personnel, and parents and (2) conducting outreach to local school systems to develop data collection procedures. Out-year costs reflect ongoing collection, analysis, and reporting of data. If a public senior institution of higher education is selected as the contractor, higher education revenues and expenditures increase accordingly.

MCSS can otherwise implement the bill with existing resources, and DSP can consult on State firearm laws with existing resources. Likewise, MSDE – in consultation with others – can assess the types of drills and trainings incorporated into the annual schedule for developmental and age appropriateness with existing resources.

Local Expenditures: The bill requires local school systems to provide mental health follow-up to students and school personnel after each drill or training. It also requires them to provide additional resources and coping strategies to individuals who require additional support during and after a drill or training. Local school systems have limited mental health resources, and many schools, especially elementary schools, do not have regular mental health staff available. To the extent that local school systems must contract for or hire additional mental health professionals to meet the bill’s requirements, local school system expenditures increase. Some local school systems indicate that they can likely provide additional support with existing resources, but Anne Arundel County Public Schools advises that additional staff may be necessary. However, a reliable estimate is not feasible.

Local school systems can likely provide the necessary notifications with existing resources. They can also likely collect and provide data on the effectiveness of active shooter drills or trainings to the MCSS contractor but doing so may detract from instructional time and planning.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Governor’s Office of Crime Prevention, Youth, and Victim Services; University System of Maryland; Morgan State University; Maryland Center for School Safety; Maryland State Department of Education; Department of State Police; Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Prince George’s County Public Schools; Frederick County Public Schools; Department of Legislative Services

Fiscal Note History:
km/clb

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