

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 629 (Senator Lam)
Education, Energy, and the Environment

Primary and Secondary Education - Policies on Bullying, Harassment, or
Intimidation - Revisions

This bill allows a qualified school staff member to report an incident of bullying, harassment, or intimidation against a public school student *only if* a student, parent, guardian, or close adult relative of a student does not report an incident within a reasonable period of time. By September 1, 2023, the State Board of Education (SBE) and each nonpublic school must update their policies prohibiting bullying, harassment, and intimidation to require a parent or guardian of an alleged victim to be notified within 12 hours (rather than 3 days) of an act being reported *unless* the act is determined to be motivated by the alleged victim's actual or perceived sex, sexual orientation, or gender identity, in which case the parent or guardian will be notified at the discretion of the alleged victim. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) can update the model policy prohibiting bullying, harassment, and intimidation as specified using existing resources. Revenues are not affected.

Local Effect: Local school systems can change reporting and notification practices regarding incidents of bullying, harassment, and intimidation using existing resources; however, the changes increase administrative burden on school staff. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: MSDE must require a local board of education to report incidents of bullying, harassment, or intimidation against students attending a public school its jurisdiction. An incident of bullying, harassment, or intimidation *may* be reported by (1) a student; (2) the parent, guardian, or close adult relative of a student; or (3) a school staff member.

Chapter 489 of 2008 required SBE to develop a model policy that prohibits bullying, harassment, and intimidation in schools. Using the model policy, local boards of education were required to develop policies for the public schools under their jurisdiction.

Chapters 486 and 487 of 2011 required nonpublic schools that participate in State-funded education programs to adopt a policy prohibiting bullying, harassment, and intimidation. Nonpublic schools are also encouraged to develop educational bullying prevention programs for students, staff, volunteers, and parents and staff development programs to train teachers and administrators to implement the policies.

Additional Comments: It is anticipated that nonpublic schools receiving State funds can implement procedures to comply with the bill's requirements with minimal impact.

MSDE advises that there are only two SBE meetings planned between the bill's effective date of July 1, 2023, and September 1, 2023. The Department of Legislative Services advises that the changes required by the bill are not complex and thus can likely be completed by the required deadline.

Additional Information

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

Designated Cross File: HB 576 (Delegate Ebersole, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education; Baltimore City Public Schools; Anne Arundel County Public Schools; Department of Legislative Services

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