

HOUSE BILL 495

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By: **Delegates Kaufman, Bagnall, Cardin, Conaway, Edelson, Feldmark, A. Johnson, Lehman, Lopez, Patterson, Pena–Melnik, Phillips, Queen, Roberson, Rosenberg, Ruff, Schindler, Shetty, Simpson, Solomon, Spiegel, Williams, Wims, Woods, and Woorman**
Introduced and read first time: January 20, 2025
Assigned to: Ways and Means and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Antidiscrimination Policies – Policy and Notice Requirements**

3 FOR the purpose of requiring certain schools that have an antidiscrimination policy to
4 ensure that the policy includes certain information and is available to certain
5 individuals in a certain manner; requiring a school to provide a certain training or
6 program regarding antidiscrimination policies to students and employees in a
7 certain manner; and generally relating to policy and notice requirements for school
8 antidiscrimination policies.

9 BY adding to
10 Article – Education
11 Section 26–706
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

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

16 **Article – Education**

17 **26–706.**

18 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

20 **(2) “ANTIDISCRIMINATION POLICY” MEANS ANY POLICY,**
21 **PROCEDURE, PROTOCOL, OR GUIDELINE REGARDING EITHER OF THE FOLLOWING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 TOPICS REGULATING INCIDENTS THAT OCCUR ON SCHOOL PREMISES, ON SCHOOL
2 TRANSPORTATION, OR AT A SCHOOL-SPONSORED, OFF-CAMPUS EVENT:

3 (I) BULLYING OR HARASSMENT BASED ON RACE, ETHNICITY,
4 COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN, MARITAL STATUS, SEXUAL
5 ORIENTATION, GENDER IDENTITY, DISABILITY, OR ANY OTHER PROTECTED STATUS;
6 OR

7 (II) SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING
8 VIOLENCE, OR STALKING.

9 (3) "FREQUENTLY ENCOUNTERED LANGUAGE" MEANS A LANGUAGE
10 THAT IS THE PRIMARY LANGUAGE SPOKEN BY:

11 (I) AT LEAST 5% OF THE POPULATION OF OVERALL STUDENTS
12 AND EMPLOYEES IN A SCHOOL; OR

13 (II) AT LEAST 5% OF THE POPULATION OF THE COUNTY OR AT
14 LEAST 1,000 PEOPLE IN THE COUNTY IN WHICH A SCHOOL IS LOCATED.

15 (4) "SCHOOL" MEANS:

16 (I) A PREKINDERGARTEN PROGRAM THAT RECEIVES STATE
17 FUNDING;

18 (II) A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY
19 SCHOOL; AND

20 (III) AN INSTITUTION OF POSTSECONDARY EDUCATION.

21 (B) A SCHOOL THAT HAS ADOPTED AN ANTIDISCRIMINATION POLICY SHALL
22 ENSURE THAT THE POLICY INCLUDES THE FOLLOWING INFORMATION:

23 (1) REPORTING OPTIONS FOR AN ALLEGED VICTIM OF SEXUAL
24 VIOLENCE OR ANY SEX-BASED CRIMINAL OFFENSE;

25 (2) A POINT OF CONTACT FOR THE SCHOOL WITH AN ACTIVELY
26 MONITORED E-MAIL ADDRESS AND TELEPHONE NUMBER;

27 (3) A DESCRIPTION OF THE SCHOOL'S INVESTIGATION PROCESS AND
28 DISCIPLINARY PROCEEDINGS;

1 (4) A DESCRIPTION OF THE CRIMINAL JUSTICE SYSTEM'S
2 INVESTIGATION AND ADJUDICATION PROCESS;

3 (5) POTENTIAL REASONABLE ACCOMMODATIONS THAT THE SCHOOL
4 MAY PROVIDE TO AN ALLEGED VICTIM;

5 (6) THE TELEPHONE NUMBER AND WEBSITE ADDRESS FOR THE
6 LOCAL, STATE, OR NATIONAL HOTLINE PROVIDING INFORMATION TO VICTIMS OF
7 SEXUAL VIOLENCE, THAT IS UPDATED PERIODICALLY; AND

8 (7) THE NAME AND LOCATION OF THE NEAREST MEDICAL FACILITY
9 WHERE AN INDIVIDUAL MAY HAVE A RAPE KIT ADMINISTERED BY A PROFESSIONAL
10 TRAINED IN SEXUAL ASSAULT FORENSIC MEDICAL EXAMINATION AND EVIDENCE
11 COLLECTION, INCLUDING AVAILABLE TRANSPORTATION OPTIONS AND FINANCIAL
12 RESOURCES.

13 (C) A SCHOOL'S ANTIDISCRIMINATION POLICY SHALL BE:

14 (1) WRITTEN IN PLAIN LANGUAGE THAT IS EASY TO UNDERSTAND
15 AND AGE APPROPRIATE;

16 (2) PRINTED IN A COLOR, SIZE, AND FONT THAT ENHANCES
17 READABILITY;

18 (3) AVAILABLE IN FREQUENTLY ENCOUNTERED LANGUAGES;

19 (4) AVAILABLE, BY REQUEST, THROUGH ORAL INTERPRETATION IN
20 LESS FREQUENTLY ENCOUNTERED LANGUAGES, TO ENSURE TIMELY AND
21 MEANINGFUL ACCESS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY;
22 AND

23 (5) COMPLIANT WITH THE FEDERAL AMERICANS WITH DISABILITIES
24 ACT.

25 (D) A SCHOOL THAT HAS ADOPTED AN ANTIDISCRIMINATION POLICY SHALL
26 MAKE THE ANTIDISCRIMINATION POLICY AVAILABLE TO STUDENTS, EMPLOYEES,
27 VOLUNTEERS, AND PARENTS OR GUARDIANS BY:

28 (1) (I) INCLUDING THE ANTIDISCRIMINATION POLICY IN ANY
29 HANDBOOK OR OTHER PUBLICATION DESCRIBING THE RULES, PROCEDURES, AND
30 STANDARDS OF CONDUCT FOR THE SCHOOL PROVIDED TO STUDENTS, EMPLOYEES,
31 VOLUNTEERS, OR PARENTS OR GUARDIANS EACH SCHOOL YEAR; OR

1 **(II) PROVIDING A WRITTEN COPY OF THE ANTIDISCRIMINATION**
2 **POLICY TO STUDENTS, EMPLOYEES, VOLUNTEERS, AND PARENTS OR GUARDIANS**
3 **EACH SCHOOL YEAR;**

4 **(2) DISTRIBUTING COPIES OF THE ANTIDISCRIMINATION POLICY**
5 **ELECTRONICALLY BY E-MAIL TO ALL ENROLLED STUDENTS AT LEAST ONE TIME**
6 **EACH SCHOOL YEAR;**

7 **(3) POSTING A COPY OF THE ANTIDISCRIMINATION POLICY AT**
8 **APPROPRIATE LOCATIONS ON THE SCHOOL'S CAMPUS AT ALL TIMES; AND**

9 **(4) POSTING THE ANTIDISCRIMINATION POLICY IN A PROMINENT**
10 **LOCATION ON:**

11 **(I) THE SCHOOL'S WEBSITE THAT IS ACCESSIBLE FROM THE**
12 **HOMEPAGE OF THE WEBSITE BY USE OF NOT MORE THAN THREE LINKS; AND**

13 **(II) THE LOCAL SCHOOL SYSTEM'S WEBSITE OR THE WEBSITE**
14 **OF THE GOVERNING BODY OF AN INSTITUTION OF POSTSECONDARY EDUCATION.**

15 **(E) (1) A SCHOOL SHALL PROVIDE MANDATORY TRAINING OR**
16 **PROGRAMMING TO STUDENTS ON ENROLLMENT OR EMPLOYEES ON EMPLOYMENT**
17 **REGARDING THE SCHOOL'S ANTIDISCRIMINATION POLICIES.**

18 **(2) A TRAINING OR PROGRAM CONDUCTED UNDER PARAGRAPH (1)**
19 **OF THIS SUBSECTION SHALL:**

20 **(I) FOR STUDENTS, BE CONDUCTED AT THE BEGINNING OF**
21 **EACH SCHOOL YEAR IN STUDENT CLASSES, A SCHOOL ASSEMBLY, STUDENT**
22 **ORIENTATION EVENTS, OR AT SIMILAR EVENTS; AND**

23 **(II) FOR EMPLOYEES, BE CONDUCTED WITHIN 4 WEEKS OF THE**
24 **FIRST DAY OF WORK AT A PARENT TEACHER ASSOCIATION OR ORGANIZATION**
25 **MEETING, AND PUBLIC MEETINGS OF THE SCHOOL ADMINISTRATIVE OFFICE, LOCAL**
26 **SCHOOL SYSTEM OFFICE, OR THE OFFICE OF THE GOVERNING BODY OF AN**
27 **INSTITUTION OF POSTSECONDARY EDUCATION.**

28 **(3) IF A SCHOOL DOES NOT HAVE SUFFICIENT RESOURCES TO**
29 **PROVIDE THE TRAINING OR PROGRAM REQUIRED IN PARAGRAPH (1) OF THIS**
30 **SUBSECTION, THE SCHOOL SHALL COORDINATE WITH A COMMUNITY ORGANIZATION**
31 **WITH EXPERTISE RELATED TO THE ANTIDISCRIMINATION POLICY TO PROVIDE THE**
32 **TRAINING TO STUDENTS OR EMPLOYEES AT NO COST.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2025.