

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 847 (Senator Hettleman)
 Education, Energy, and the Environment

**Higher Education - Antihate and Antidiscrimination Policies and Workgroup
 (Maryland Campus Accountability and Modernization to Protect University
 Students Act)**

This bill requires all institutions of higher education to adopt and enforce policies addressing racial, ethnic, and religious violence, harassment, and intimidation, including training, complaint procedures, and protections for expressive activities. Institutions must coordinate security for approved student organizations, designate a senior administrator for student organization discussions, and incorporate the most affected demographic groups into diversity efforts. Beginning December 1, 2025, they must annually report incidents to Maryland Higher Education Commission (MHEC), which must submit a summary to the General Assembly. The Chancellor of the University System of Maryland (USM) must establish and administer a Campus Community Grant Program, which must receive \$500,000 in the fiscal 2027 budget. The Secretary of Higher Education must convene a workgroup, as specified, and report on findings. **The bill takes effect July 1, 2025; the workgroup terminates June 30, 2026.**

Fiscal Summary

State Effect: General fund expenditures increase by \$53,800 in FY 2026 to staff the workgroup and \$500,000 in FY 2027 for the grant program, with corresponding revenues and expenditures for public four-year institutions and Baltimore City Community College (BCCC) that receive grants on behalf of student organizations in FY 2027. Institutions may incur significant costs for training, compliance, coordination, security, and reporting, though the exact impact is unknown. MHEC can likely meet reporting requirements with existing resources. **This bill establishes a mandated appropriation for FY 2027.**

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Higher Ed Rev.	\$0	-	\$0	\$0	\$0
GF Expenditure	\$53,800	\$500,000	\$0	\$0	\$0
Higher Ed Exp.	-	-	-	-	-
Net Effect	(\$53,800)	(\$500,000)	(\$-)	(\$-)	(\$-)

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

Local Effect: Local community college expenditures may increase, potentially significantly, to comply with training, compliance, coordination, additional security measures, and reporting requirements; however, the exact fiscal impact cannot be reliably estimated. Potential minimal increase in revenues and expenditures due to receiving grants on behalf of student organizations in FY 2027. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary:

Policies Addressing Racial, Ethnic, and Religious Violence, Harassment, and Intimidation

Each institution of higher education must adopt, enforce, and submit a policy to MHEC addressing racial, ethnic, and religious violence, harassment, and intimidation. This policy applies to all students, faculty, administrators, and employees, outlining their rights and responsibilities. It must include training for faculty, administrators, and employees on responding to hate incidents and handling complaints. The policy must also establish procedures for filing, investigating, and adjudicating complaints, allowing for anonymous reporting, defining disciplinary actions, and ensuring communication at the conclusion of each case, including educational information on institutional policies.

Time, Place, and Manner Policies

Each institution must adopt and publish a time, place, and manner policy on its website governing expressive activities for students, faculty, administrators, and employees. Each policy must outline procedures for (1) handling campus disruptions that affect educational activities or public safety; (2) notifying the campus community about such disruptions; and (3) involving campus security or law enforcement when necessary. Each institution must also ensure collaboration between campus security, local law enforcement, the Maryland State Police, and student communities or organizations to provide security for approved student organizations that have received threats of violence or terror attacks or have been subject to hate crimes.

Administrative Contact

Each year, institutions must designate a senior administrator to meet with representatives of approved student organizations, including religiously affiliated groups. These meetings must cover the institution's antihate and antidiscrimination policy; any incidents of racial,

ethnic, or religious violence, harassment, or intimidation on campus; the institution's time, place, and manner policy for expressive activities; and any other issues relevant or important to the student community.

Diversity and Inclusion Efforts

Starting in 2025, Maryland institutions of higher education must integrate the top five demographic groups most affected by hate bias incidents, as identified in the *State of Maryland Hate Bias Report*, into their diversity and inclusion efforts while upholding constitutional and federal protections.

Reporting Requirements

By December 1, 2025, and annually thereafter, institutions must report all allegations or complaints as well as any other documented incidents of racial, ethnic, and religious violence, harassment, or intimidation to MHEC, disaggregated by targeted demographic group, incident type, location, investigation status, and resultant policy changes. Beginning in 2026, reports must also summarize student organization discussions and related policy changes. By December 31, 2025, and annually thereafter, MHEC must submit a summary of these reports to the General Assembly.

Campus Community Grant Program

The Chancellor of USM must establish and administer a Campus Community Grant Program to provide grants to approved student organizations at public institutions of higher education to support intergroup and interfaith outreach and cultural competency between approved student organizations. The Chancellor must adopt guidelines and procedures for the program, including an application process, criteria for awards, and a method to determine the distribution of awards. The bill requires the Governor to appropriate \$500,000 to the program in fiscal 2027.

Workgroup

The Secretary of Higher Education must convene a Workgroup on Combating Antisemitism, Islamophobia, and Other Forms of Racial, Ethnic, and Religious Violence, Harassment, and Intimidation. The workgroup must consist of specified members, and any other stakeholders chosen by the Secretary. The bill does not specify staffing for the workgroup.

The workgroup must develop model policies, guidance, best practices, and recommendations for the policies and requirements established under the bill (Title 11, Subtitle 20 of the Education Article), as specified. By January 1, 2026, the Secretary must

report on the finding and recommendations of the workgroup to the Governor and the General Assembly.

Current Law:

Policies on Non-Discrimination and Equal Opportunity

According to USM's [VI-1.00-Policy on Non-Discrimination and Equal Opportunity](#) as amended November 22, 2019, all policies, programs, and activities of USM are and must be in conformity with all pertinent federal and State laws concerning non-discrimination on the basis of race, color, religion, age, national origin, sex, disability, sexual orientation, gender identity, gender expression, marital status, genetic information, veteran's status, and any other legally protected characteristic.

This policy prohibits discrimination against students, faculty, staff, and applicants for admission or employment, on the basis of any legally protected characteristic, in admissions, financial aid, educational services, housing, student programs and activities, recruitment, hiring, employment, appointment, promotion, tenure, demotion, transfer, layoff or termination, compensation, selection for training and professional development, and employee services. This policy prohibits harassment, including acts of violence, on the basis of any legally protected characteristic, at USM institutions and in connection with USM programs and activities. This policy also prohibits retaliation against any student, faculty, staff, or applicant for admission or employment who asserts a claim of discrimination under this policy or one who participates in an investigation of a complaint of discrimination.

Time, Place, and Manner

The First Amendment to the U.S. Constitution guarantees, in part, "the right of the people to peacefully assemble, and to petition the Government for a redress of grievances." However, generally, the government may impose some limitations on assembly rights such as enacting reasonable "time, place, and manner" restrictions if they are designed to further legitimate regulatory objectives.

Freedom of Speech and Expression Value Statement and Guidelines

USM has a [Freedom of Speech and Expression Value Statement and Guidelines](#), which affirm the university system's commitment to protecting free speech while promoting civility, safeguarding physical safety, and ensuring compliance with legal protections against harassment and discrimination.

State/Local Fiscal Effect:

Workgroup

General fund expenditures increase by \$53,825 for MHEC to hire a contractual coordinator to staff the workgroup as MHEC does not currently have the expertise or capacity to staff the workgroup. This estimate reflects hiring a contractual coordinator for six months (from July 1, 2025, to January 1, 2026) to staff the workgroup. This reflects the bill’s effective date and the date the report is due.

It includes a salary, fringe benefits, and one-time start-up costs. This estimate assumes that the contractual position terminates January 1, 2026, following submission of the workgroup’s report.

Contractual Position	1.0
Salary and Fringe Benefits	\$46,732
Other Operating Expenses	<u>7,093</u>
Total FY 2026 MHEC Expenditures	\$53,825

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of the federal Patient Protection and Affordable Care Act.

Workgroup staffing costs may be lower if it is determined that the institutions have existing staff with the required expertise and capacity to staff the workgroup.

Grant Funding

General fund expenditures increase by \$500,000 in fiscal 2027 to fund the Campus Community Grant Program to provide support to approved student organizations at public four-year institutions, BCCC, and local community colleges. It is assumed that the USM Chancellor can award grants for one year using existing resources. This analysis assumes that awards to student organizations are treated as restricted funds; thus, higher education revenues and expenditures increase accordingly, based on awarded funding, in fiscal 2027.

Institution Requirements

Public four-year institutions of higher education (*i.e.*, USM institutions, Morgan State University (MSU), and St. Mary’s College of Maryland), BCCC, and local community college higher education expenditures may increase to implement the bill’s training, compliance, coordination, security measures, and reporting requirements. Costs likely vary

by institution and depend on implementation choices as well as existing policies and procedures; thus, costs cannot be reliably estimated. However, costs may include developing and implementing comprehensive training programs; designating a senior administrator responsible for meeting with student organizations; coordinating security (which may necessitate increased security costs); and tracking, documenting, and reporting incidents of racial, ethnic and religious violence, harassment, and intimidation, disaggregated by demographic factors as specified.

Some institutions, such as MSU, may be able to implement the requirements with budgeted resources due to existing antihate and antidiscrimination policies.

Reporting

MHEC can likely summarize reports annually using existing resources; however, if there are significant incidents to summarize, additional contractual staff may be needed.

Additional Comments: The Maryland Independent College and University Association (MICUA) advises that developing and implementing the training required by the bill requires time and potentially additional staff. MICUA estimates costs per institution to be approximately \$50,000.

Additional Information

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

Designated Cross File: HB 1462 (Delegate Solomon, *et al.*) - Appropriations.

Information Source(s): Maryland Commission on Civil Rights; Maryland Higher Education Commission; University System of Maryland; Morgan State University; Maryland Independent College and University Association; Department of Budget and Management; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - March 4, 2025
km/ljm

Analysis by: Caroline L. Boice

Direct Inquiries to:
(410) 946-5510
(301) 970-5510