



PSSAM
Public School Superintendents' Association
OF MARYLAND

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BILL: SB 629

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

DATE: February 24, 2023

POSITION: Oppose

COMMITTEE: Education, Energy, and the Environment

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **opposes** Senate Bill 629.

Senate Bill 629 would require local school systems to notify the parent or guardian of a student who is the victim of bullying or harassment within twelve hours of an incident. The bill also waives the parental notification requirement after an incident at the discretion of the student if the incident was found to be motivated by the student's actual or perceived sex, sexual orientation, or gender identity. Additionally, the Maryland State Department of Education (MSDE) would be required to update the model policy regarding bullying, harassment, or intimidation by September 1, 2023.

PSSAM recognizes the importance of maintaining an inclusive environment for students' expression of sexual orientation and gender identity, but this bill creates a potential for serious liability concerns and legal ramifications as an unintended consequence. Most importantly, the victim may not receive the services he or she needs due to the lack of parental involvement. Under current statute and model policies developed by the Maryland State Department of Education (MSDE), school systems are required to notify the parent or guardian of a student who is a victim of bullying, harassment, or intimidation within three business days of an alleged incident, regardless of the motivation of the perpetrator to inflict harm. This bill removes the requirement for schools to notify a parent or guardian if the incident was motivated by the victim's actual or perceived sex, sexual orientation, or gender identity. Instead, notification would only occur at the student's discretion.

Maryland superintendents promote the utilization of a range of integrated tiered supports for both victims and students exhibiting bullying behaviors, as well as individualized, intensive supports when necessary. Parents and guardians across the state place the utmost trust in local school systems in providing a safe learning environment for all students, a duty that cannot be accomplished without active parental participation. Removing current language that requires parental notification opens local systems to legal action, but more importantly, could prevent the bullied student from receiving appropriate attention at home and school.

While topics of gender and sexuality can be sensitive subjects, the motivation behind any one incident of bullying or harassment, regardless of the subject matter, does not constitute the need for wholesale change in a model policy. We believe that the current policies protect both the student and the school system. Local school systems make every effort to provide culturally responsive social and emotional support for targeted students. These efforts are integrated with trauma informed care and restorative practices to best serve the interest of all involved parties.

For these reasons, PSSAM **opposes** Senate Bill 629 and urges an unfavorable report.