



***Maryland's Voice for
Nonpublic Education***

RABBI ARIEL SADWIN
President

GARRETT J. O'DAY ESQ.
Chair, Steering Committee

P. GEORGE TRYFIATES
Director, Federal Programs

7 CHURCH LANE
SUITE 14
BALTIMORE, MD 21208
P: 410-484-3632
F: 443-450-3748

EMAIL: INFO@MDCAPE.ORG
WEB: WWW.MDCAPE.ORG
TWITTER: [@MD_CAPE](https://twitter.com/MD_CAPE)
FACEBOOK: [@MDCAPE](https://www.facebook.com/MDCAPE)

HOUSE WAYS AND MEANS COMMITTEE

HOUSE BILL 576

PRIMARY AND SECONDARY EDUCATION - POLICIES ON BULLYING, HARASSMENT, OR INTIMIDATION - REVISIONS

FEBRUARY 20, 2023

STATEMENT OF INFORMATION

Maryland CAPE is our state's chapter and one of 40 state chapters of the Council for American Private Education. Our network includes the Catholic, Christian, Evangelical Lutheran, Friends, Independent, Jewish, Lutheran, Montessori, Muslim, and Seventh Day Adventist school communities. We speak on behalf of roughly 120,000 nonpublic school students attending over one thousand nonpublic schools across our great state of Maryland.

We offer this Statement of Information on House Bill 576.

For over a decade, our nonpublic schools have published their anti-bullying, harassment, and intimidation policies, as required by Maryland law, and worked to eliminate such abuses from their classrooms, hallways, recreation areas, and, in general, from their students' lives via training and incident reporting. Reporting is encouraged, and reports are taken seriously and acted upon.

House Bill 576 would change the current three-day notification policy to twelve hours. Our concern about such a change is that without the adequate time needed to properly assess the incident, administrators and parents will mis-assess the incident, leading to escalations or actions that can fail to protect the victim and can harm innocent parties.

This bill further creates an exception from the notification requirement when the act is determined to be motivated by the actual or perceived sex, sexual orientation, or gender identity of the alleged victim, leaving the notification in such a case to the discretion of the victim.

Such an exemption would seem to be ripe for abuse. Under this clause, if the bully or abuser, aware of this clause, forces the victim to request that no notification be issued, the school would be unable to properly inform the victim's family. A victim suffering from feelings of shame and/or weakness as a result of the abuse may choose that their parent or guardian not be informed, even against their own best interests. And a hasty determination and/or failure by a school to notify other parties may lead to school liability if further incidents occur.

While we support the spirit and intent of House Bill 576, we are concerned that some of its provisions may be counterproductive. Thank you.