

TO: House Committee on Ways and Means

BILL: Senate Bill (SB) 770 – Public Schools and Youth Services – Crisis Support and Assistance and Workgroup Study

DATE: March 26, 2025

POSITION: Support with Amendments

The Maryland State Department of Education (MSDE) and the State Board of Education support Senate Bill (SB) 770 – Public Schools and Youth Services – Crisis Support and Assistance and Workgroup Study with amendments.

SB 770 Summary

SB 770 requires each local education agency (LEA) to create a crisis support system to address instances when a school employee is removed from the classroom due to alleged criminal activity. The response team must include at least a counselor and legal counsel. The response plan will include communications, resources for parents and students, referrals, and training for principals.

SB 770 mandates that MSDE convene a stakeholder workgroup to deliberate and produce recommendations by December 1, 2025. The workgroup will address: the impact of adding a requirement to the hiring process for school staff and youth-serving agency staff to flag previous “boundary-violating behavior”, a definition of such behavior, the impact of any added requirement in this area on LEAs, including cost and administrative burden, and a definition of “youth serving organization” for purposes of this bill.

MSDE Information

Under SB 770, MSDE does not have a direct role in the creation of the required crisis response team. This will be the responsibility of each LEA. This requirement will be redundant for LEAs. LEAs have staff identified or staff that are called upon from across the LEA to respond to a school in the event of a crisis, including school counselors, school psychologists, social workers, pupil personnel workers, school safety personnel, and others as needed. These staff respond to a range of crises, including deaths in the school community, police activity, and other circumstances.

The Maryland Department of Health has a statewide network of Mobile Crisis Response Teams that are available to all counties and all LEAs. They are mostly utilized for responding to events in the community but are available to respond to school events. Many LEAs utilize additional community-based supports. Every LEA utilizes an Employee Assistance Program to provide support to staff.

In addition, the Maryland School Mental Health Response Program (MD-SMHRP) of MSDE is a team of professionals that supports site-based student support services personnel. The SMHRP does not replace

any work of site-based staff in the school or LEA but provides guidance, professional learning, consultation, and other assistance regarding mental and behavioral health concerns. The SMHRP provides support to staff and/or students as identified by the LEA and school.

The workgroup required by SB 770 has a broad scope of work and a short timeline, with a report due December 1, 2025. The workgroup must further define two very broad and ambiguous terms “boundary-violating behavior” and “youth-serving organization.” Several of the organizations currently identified to serve on the workgroup would not have knowledge of or experience with school hiring procedures, therefore, must first be educated on current screening and hiring procedures for the State of Maryland, LEAs, nonpublic schools, and youth-serving organizations. These processes are governed by extensive statutes and regulations. Additionally, some organizations may not be in the best position to determine how adding “boundary-violating behaviors” and “youth-serving organizations” to Education Article § 6-113.2 would impact LEAs and youth-serving organizations in hiring, licensing, training, and enforcement, specifically as to cost, administrative burden, and timeliness.

If the legislature ultimately expands Education Article § 6-113.2 to apply to “youth-serving organizations,” these organizations may not be able to effectively fulfill the requirements of the statute or be able to afford the human capital and/or cost of completing the review, including evaluating what constitutes “boundary-violating behavior.” This will most likely lead to a significant increase in requests for guidance and submission of employer violation complaints under the current law.

Finally, Education Article § 6-113.2 is already comprehensive, covering all sex offenses, all sexual contact between an adult and a minor, and all acts (including oral, nonverbal, written, or electronic communications as well as physical activity) by adults designed to promote a romantic or sexual relationship with any minor, including sexual/romantic invitations, dating/soliciting dates, sexualized/romantic dialogue or suggestive comments, grooming behaviors, sexual/romantic/erotic self-disclosure or physical exposure, and sexual/indecent/romantic/erotic contact with any minor.

Given the comprehensive requirements of the current statute, MSDE recommends that the Department, in consultation with Maryland public school systems and nonpublic schools, provide information directly to the Legislature in the form of a report as opposed to a workgroup regarding the efficacy of Education Article § 6-113.2 as it is currently written to determine if additional amendments are needed.

MSDE respectfully requests consideration of this information as **SB 770** is discussed and deliberated. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or akilah.alleyne@maryland.gov.