



HOUSE WAYS AND MEANS COMMITTEE

FEBRUARY 12, 2025

HOUSE BILL 495

EDUCATION - ANTIDISCRIMINATION POLICIES - POLICY AND NOTICE REQUIREMENTS

SUPPORT WITH AMENDMENTS

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 the 135,000+ nonpublic school students attending over one thousand nonpublic schools across our great state of Maryland. We issue this testimony today in support of House Bill 495, with amendments.

HB 495 would require addresses the antidiscrimination policy of schools on bullying, harassment, sexual, domestic, and dating violence, and stalking, requiring these policies to contain information regarding the reporting options and the investigative process, and addresses the details of printing the policy, its posting, and supplying it to students and parents, as well as certain details regarding the training of staff with regards to the policy.

Obviously, the importance of ensuring the safety of students and others is of primary importance to schools, and an ounce of prevention is worth a pound of cure, as the saying goes.

At the same time, we offer three amendments to ensure that this legislation provides no conflict with statutory nondiscrimination policy requirements currently in place since their passage by this Legislature in 2022, and to ensure that our schools best serve their student and parent body.

First, schools should not be obligated to provide a description of the government's criminal justice system and adjudication process; it is even possible that such would constitute giving legal advice, which is not the realm of the school. If the information is to be conveyed, it could be done so via the State Department of Education, as per our Amendment Number One.

Second, requiring preschools or elementary schools to post policies regarding the nearest medical facilities to access rape kits by professionals trained in sexual forensic medical examinations could alarm students and would not seem to be particularly useful in some settings. Amendment Number Two would require such information specifically in the post-secondary education levels, where it would be more necessary.

Finally, the various distribution requirements are onerous and redundant, as school handbooks and school websites are the most common and more often than not the only place where students and/or parents will look when seeking this information. We therefore suggest Amendment Number Three, in light of that reality.

We thus issue this testimony in support of HB 495, as amended. Thank you.

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Amendments to HB 495

Amendment No. 1

On page 3, line 1, STRIKE: “(4) A DESCRIPTION OF THE CRIMINAL JUSTICE SYSTEM’S INVESTIGATION AND ADJUDICATION PROCESS;”

Amendment No. 2

On page 3, line 8, after “(7)” and before “THE NAME”, INSERT: “IF THE INSTITUTION IS AN INSTITUTION OF POSTSECONDARY EDUCATION”

Amendment No. 3

On page 4, line 8, STRIKE: “AND” and INSERT: “OR”