



HB 495
Education - Antidiscrimination Policies - Policy and Notice Requirements

House Ways & Means Committee
House Appropriations Committee

Position: FAVORABLE w/ Amendments

The Maryland Catholic Conference offers this testimony in support of House Bill 495, with amendments. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government. The Church also serves approximately 50,000 students in over 150 PreK-12 Catholic schools in Maryland.

House Bill 495 seeks to ensure that provisions regarding bullying, harassment, sexual violence, domestic violence, dating violence, or stalking are included in school nondiscrimination policies. This legislation also contains provisions dictating where and how such policies should be dictated to students.

We applaud the end goal of this bill to safeguard those who may have been threatened or victimized by sexual violence, domestic violence, dating violence, or stalking. However, this bill does somewhat conflict with statutory nondiscrimination policy requirements for schools passed by this legislative body in 2022 and there may be some ways in which this proposed legislation in fact conflicts with that law. At a minimum, we offer some amendments to the provisions of this bill, attached hereto.

First, schools should not be obligated to provide advice on the criminal justice system and the state's "adjudication process". As an alternative, the State Department of Education could be required to do so in lieu of schools. Our amendment number one addresses this.

Additionally, requiring preschools or elementary schools to post policies regarding "the name and location of the nearest medical facility where an individual may have a rape kit administered by a professional trained in sexual assault forensic medical examination" is probably only necessary at the post-secondary education level. That is addressed by our amendment number two.

Lastly, the numerous distribution provisions are onerous when handbooks and school websites are the most, and often only, medium that students or parents will look to in order to find such information. This is addressed by our last provided amendment. Thank you for your consideration of our amendments relative to House Bill 495.

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”