



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Gloria Brown Burnett, Interim Secretary

March 4, 2026

The Honorable Brian J. Feldman, Chair
Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: TESTIMONY ON SB 685 - LOCAL SCHOOL SYSTEMS - SEXUAL ABUSE AND SEXUAL MISCONDUCT - RESPONSE POLICY AND AFTER-ACTION REVIEW - POSITION: INFORMATION

Dear Chair Feldman and Members of the Education, Energy, and Environment Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully submits information for Senate Bill 685 (SB 685).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) implements the Child Protective Services (CPS) program which is affected by SB 685.

SB 685 would require the Maryland State Department of Education (MSDE) to develop a model sexual abuse and sexual misconduct response policy and mandate that local school systems adopt their own policies by July 1, 2026. Key provisions would require "prompt notification" to parents of credible allegations, maintaining electronic records and maintaining a public webpage for "serious incidents," and conducting "after-action reviews" to identify systemic safety gaps. SB 685 specifically intersects with the Department of Human Services (DHS) operations by defining "child abuse or neglect" as a "serious incident" subject to public reporting. Additionally, section 4-148(E) of this bill would explicitly authorize DHS to request that a school system withhold details or delay public communication related to these allegations.


The process envisioned by SB 685 would significantly undermine state confidentiality laws designed, in part, to prevent additional trauma for children alleged to be victims as well as to protect the constitutional rights of individuals accused of abuse. [Human Services Article § 1-202](#) restricts DHS from disclosing reports or records of child abuse or neglect outside of specific exceptions. One exception under Human Services Article § 1-202(c)(1)(vii) permits DHS to disclose specific information to school superintendents or principals regarding investigations involving school personnel or contractors. The exception is intended solely for internal administrative action and student safety, not for public dissemination. SB 685 would create a potential conflict with confidentiality requirements outlined in Human Services Article § 1-201 - 1-203 by requiring subsequent publication of confidential information by the school system to satisfy the bill's mandatory "serious incident" public reporting requirements. Even where DHS is not directly disclosing sensitive information to the public, "derivative disclosure" could violate the individual privacy rights of the subject and potentially expose the Department to legal liability.

While we understand the intent of SB 685 is to increase transparency regarding misconduct by school staff, we believe its text is overly broad and may inadvertently undermine the integrity of processes intended to protect children from harm. For example, the bill definition of "serious incident" does not include a crucial limitation that the allegation is credible. Additionally, "serious incident" is broad and would include any instance of alleged "child abuse or neglect." Publishing such a wide range of claims could make it more difficult for the public to accurately evaluate risk, which could subvert the very intent of the legislation.

The bill's notification requirements pose particular safety risks in cases where an allegation has been made against a parent or caregiver. In the absence of limiting language, the bill would not prevent a school from publicly disclosing information about allegations of abuse or neglect made by a student against a parent or caregiver. Furthermore, it does not explicitly prohibit disclosure to a parent that their child alleged maltreatment against them. Consequently, the bill's requirement for "prompt notification" could inadvertently compel a school to notify a parent of an allegation before CPS can intervene or conduct initial interviews. Premature disclosure would directly jeopardize the integrity of the investigation and, potentially, the immediate safety of the child.

We appreciate the opportunity to provide information to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,

A handwritten signature in blue ink that reads "Gloria Brown Burnett". The signature is written in a cursive style with a large initial "G".

Gloria Brown Burnett
Interim Secretary