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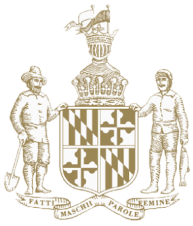

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB 685

State Department of Education - Sexual Abuse and Sexual Misconduct Model Response Policy - Requirements

Madam Chair, Madam Vice Chair, and Members of the House Ways and Means Committee:

This legislation was born out of a deeply painful and personal experience in my community involving allegations of sexual misconduct at Severna Park Elementary School. My own children attend that school. The families most directly affected are my neighbors and friends.

I want to be very clear at the outset about what this bill does — and what it does not do.

SB 685 does not relitigate any case. It does not question the outcome of criminal proceedings. It does not assign blame to any individual or to Anne Arundel County Public Schools. Our educators work tirelessly for children every single day. This bill is not about second-guessing dedicated professionals.

This bill, as-amended, directs the best experts and agencies in our State to come together to develop a model policy under MSDE with minimum requirements, and allow them to use their respective areas of expertise to determine the best way to implement these requirements without sacrificing the intent or minimum floors that the bill outlines. We would like to thank the large number of stakeholders who worked tirelessly over more than 6 months to find an acceptable path forward with alignment among all parties. These organizations include MABE, MSDE, PSSAM, MD States Attorney's, DHS, MCSS, MSEA, MCASA, Stacey and Alistair in EEE and W&M, respectively, and more.

Maryland currently does not have consistent, statewide minimum standards governing how local school systems respond to incidents involving sexual abuse and sexual misconduct. Policies vary from county to county. Timelines vary. Notification practices vary. Record retention practices vary. Accessibility of resources for families varies. In moments of crisis, that lack of uniformity can compound fear, confusion, and mistrust.

SB 685 is about closing that gap.

The bill directs the Maryland State Department of Education to develop a model sexual abuse and sexual misconduct response policy in partnership with the appropriate agencies and subject matter experts. Each local school system must adopt a policy aligned with that model by September 1, 2027. This creates a clear statewide floor — not a ceiling — ensuring that every child in Maryland is protected by the same minimum standards, while preserving local flexibility to go further if appropriate and deferring to appropriate expert agencies on the exact implementation process that meet the minimum requirements.

SB 685 directs MSDE to establish clear parental notification standards as part of a model communications plan while maintaining investigative integrity and privacy protections for staff.

The bill also requires, as part of the MSDE model policy development, that a website be established by MSDE in partnership with Maryland Center for School Safety to provide resources for families on sexual assault and trauma therapy resources. Rather than allowing families to search for help on their own during a stressful time, this provision ensures that schools proactively connect parents and students with the services they may need.

Another key lesson from the Severna Park case involved record retention. We learned that electronic communications were subject to automatic deletion under varying local policies. In that instance, a 30-day deletion cycle eliminated emails that could have provided important context. SB 685 requires a minimum floor of 1 year for electronic record retention under the MSDE model policy development.

There is a proposed amendment requested by MABE and PSSAM to clarify what types of electronic records will fall under the record retention requirements. We appreciate MABE and PSSAM for their efforts getting this bill to where it is today. While we do not oppose the amendment and we agree with the intent, we are concerned with the time constraints of an amendment at this late stage and whether it can be addressed through MSDE regulation. Therefore, we defer to the committee on the adoption of the amendment. The House Bill, Chair Bagnall's HB 1168, is being amended to conform identically to SB 685.

Finally, the bill requires the development of an after-action review as part of MSDE's policy, in collaboration with MCSS.

At its core, SB 685 is about consistency, transparency, evidence preservation, and institutional accountability. It establishes statewide minimum standards while respecting local governance and due process protections.

This bill reflects months of consultation with families, educators, state agencies, criminal justice professionals, and policy experts. It is measured. It is balanced. And it responds to a clear gap in our current framework while allowing the best subject matter experts to come to the table to determine the best implementation strategies.

For those reasons, I respectfully request a favorable report on SB 685.