

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
State Board of Education
(DLS Control No. 18-106)**

Overview and Legal and Fiscal Impact

The regulations implement Chapter 335 of 2017 by establishing requirements for the training of certificated school personnel who have direct contact with students on a regular basis in the skills required to understand and respond to youth suicide risk and identify professional resources to help students in crisis. The regulations also require training in the skills required to understand and respond to specified topics related to student social and emotional well-being.

The regulations present no legal issues of concern.

There is no material fiscal impact on State or local agencies.

Regulations of COMAR Affected

State Board of Education:

School Personnel: Standards for Professional Learning: COMAR 13A.07.11.01 - .05

Legal Analysis

Background

Chapter 335 of 2017 requires the State Board of Education to require, beginning on or before July 1, 2018, that specified certificated school personnel complete annual training in the skills required to understand and respond to youth suicide risk and identify professional resources to help students in crisis. The training must be completed by December 1 each year and, as determined by each county board, must be provided during an in-service program or be a professional development requirement that may be met during the time designated for professional development.

Summary of Regulations

The regulations add a new chapter establishing the scope, relevant definitions, and requirements of a program of training in suicide prevention and student safety for all certificated school personnel who have direct contact with students on a regular basis. The regulations require the certificated school personnel, on or before December 1 of each year, by a method determined by each county board, to complete training in the skills required to (1) understand and respond to

youth suicide risk; (2) understand and respond to student mental health, trauma, safety, and other topics related to student social and emotional well-being; and (3) identify professional resources to help students in crisis. The training must be provided during an in-service program or be a professional development requirement that may be met during time designated for professional development. The regulations also limit the liability of school personnel who complete the training. In addition, the regulations require local superintendents of schools to annually submit to the State Superintendent of Schools documentation, by school, regarding the number of personnel trained and the type and dates of, and materials used for, the training.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The State board cites §§ 2–205, 6–122, and 6–704 of the Education Article as statutory authority for the regulations. Section 2–205 sets forth the general authority of the State board to set the educational policy of the State and requires the State board to adopt regulations for the administration of public schools. Section 6–122 requires the State board to adopt regulations requiring specified certificated school personnel to complete annual training, in a certain manner, in the skills required to understand and respond to youth suicide risk and to identify professional resources to help students in crisis. Section 6–704 requires both the State board and the Professional Standards and Teacher Education Board to develop regulations for the certification of teachers and other professional personnel in accordance with the Education Article and requirements for the preparation of teachers and other education personnel.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no material fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulations primarily implement Chapter 335 of 2017 (House Bill 920), which establishes that the State Board of Education must require, by July 1, 2018, all certificated school personnel who have direct contact with students on a regular basis to complete training by December 1 each year in the skills required to (1) understand and respond to youth suicide risk and (2) identify professional resources to help students in crisis. In addition to the requirements of Chapter 335, the regulations require that the annual training for certificated school personnel include understanding and responding to student mental health, student trauma, student safety, and other topics related to student social and emotional well-being. Further, the regulations require local superintendents to annually submit documentation on the type of training, the number of

certificated school personnel trained, the dates of the training, and the material used for the training.

The department advises that the regulations have no impact on State finances, but they may increase local school system expenditures to provide the required training to all certificated school personnel. The Department of Legislative Services generally concurs. However, with the exception of the additional training and documentation requirements, the fiscal impact of the regulations was already accounted for in the fiscal and policy note for House Bill 920 of 2017. Those additional training and documentation requirements are not anticipated to increase local school system expenditures significantly more than already assumed in the fiscal and policy note for House Bill 920.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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