

HOUSE BILL 327

F1
HB 439/19 – W&M

0lr1779

By: **Delegates Washington and Ivey**
Introduced and read first time: January 20, 2020
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – School Resource Officers – Prohibited Conduct**

3 FOR the purpose of prohibiting a school administrator or official or a school safety
4 coordinator from directing a school resource officer to enforce certain
5 discipline–related policies, rules, regulations, or procedures; prohibiting a school
6 resource officer from unilaterally enforcing certain discipline–related policies, rules,
7 regulations, or procedures; requiring a certain curriculum to include training in
8 conduct that is prohibited for school resource officers; and generally relating to
9 prohibited conduct of school administrators or officials, school safety coordinators,
10 and school resource officers.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 7–1508
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2019 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 7–1508.

20 (a) (1) Each local school system shall designate a school safety coordinator.

21 (2) A designated school safety coordinator shall:

22 (i) Be certified by the Center; and

23 (ii) Serve as a liaison between the local school system, the local law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 enforcement agency, and the Center.

2 **(B) (1) A SCHOOL ADMINISTRATOR OR OFFICIAL OR A SCHOOL SAFETY**
3 **COORDINATOR MAY NOT DIRECT A SCHOOL RESOURCE OFFICER TO ENFORCE**
4 **DISCIPLINE-RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR PROCEDURES.**

5 **(2) A SCHOOL RESOURCE OFFICER MAY NOT UNILATERALLY**
6 **ENFORCE DISCIPLINE-RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR**
7 **PROCEDURES.**

8 **[(b)] (C) (1) (i)** On or before September 1, 2018, the Center, in
9 consultation with local school systems, shall:

10 1. Develop a specialized curriculum for use in training of
11 school resource officers and school security employees; and

12 2. Submit the curriculum to the Maryland Police Training
13 and Standards Commission for approval.

14 (ii) The specialized curriculum developed under this subsection shall
15 include training in:

16 1. De-escalation;

17 2. Disability awareness;

18 3. Maintaining a positive school climate;

19 4. Constructive interactions with students; [and]

20 5. Implicit bias and disability and diversity awareness with
21 specific attention to racial and ethnic disparities; **AND**

22 **6. PROHIBITED CONDUCT.**

23 (iii) 1. The specialized curriculum developed under this
24 subsection may not go into effect until it is approved by the Maryland Police Training and
25 Standards Commission.

26 2. If the Maryland Police Training and Standards
27 Commission does not initially approve the specialized curriculum, the Center shall amend
28 the curriculum until it meets with the Commission's approval.

29 (2) On or before March 1, 2019, the Center shall develop and submit to the
30 Maryland Police Training and Standards Commission for approval a model training
31 program that meets the requirements of the curriculum approved under paragraph (1) of

1 this subsection.

2 (3) Each local law enforcement agency shall:

3 (i) Enroll individuals assigned to be school resource officers in the
4 model training program developed by the Center under paragraph (2) of this subsection; or

5 (ii) 1. Submit to the Maryland Police Training and Standards
6 Commission for approval a training program that is consistent with the curriculum
7 developed under paragraph (1) of this subsection; and

8 2. Enroll individuals assigned to be school resource officers
9 in the training program developed under this subparagraph.

10 (4) Beginning September 1, 2019, to be assigned as a school resource officer
11 an individual shall:

12 (i) Complete:

13 1. The model training program developed by the Center
14 under paragraph (2) of this subsection through instruction provided by the Center in
15 collaboration with the Maryland Police Training and Standards Commission; or

16 2. A local law enforcement agency's training program
17 developed under paragraph (3)(ii) of this subsection; and

18 (ii) Be certified by the Maryland Police Training and Standards
19 Commission.

20 (5) Beginning September 1, 2019, to be employed as a school security
21 employee at a public school, an individual shall complete:

22 (i) The model training program developed by the Center under
23 paragraph (2) of this subsection through instruction provided by the Center in collaboration
24 with the Maryland Police Training and Standards Commission; or

25 (ii) A local law enforcement agency's training program developed
26 under paragraph (3)(ii) of this subsection.

27 **[(c)] (D)** The Center shall collect data regarding the school resource officers in
28 each local school system, including:

29 (1) The number of full-time and part-time school resource officers
30 assigned to each elementary school, middle school, and high school; and

31 (2) Any other local school system employees or local law enforcement
32 officers who are fulfilling the role of a school resource officer.

1 **[(d)] (E)** (1) On or before December 15, 2018, the Center, in collaboration
2 with local law enforcement agencies and local school systems, shall analyze the initial data
3 collected under subsection **[(c)] (D)** of this section and develop guidelines to assist local
4 school systems in:

5 (i) Identifying the appropriate number and assignment of school
6 resource officers, including supplemental coverage by local law enforcement agencies; and

7 (ii) Collaborating and communicating with local law enforcement
8 agencies.

9 (2) On or before July 1, 2019, each local school system, in consultation with
10 local law enforcement agencies, shall:

11 (i) Develop a plan to implement the guidelines developed by the
12 Center; and

13 (ii) Submit the plan to the Center for review and comment.

14 **[(e)] (F)** (1) Before the 2018–2019 school year begins, each local school
15 system shall file a report with the Center identifying:

16 (i) The public high schools in the local school system’s jurisdiction
17 that have a school resource officer assigned to the school; and

18 (ii) If a public high school in the local school system’s jurisdiction is
19 not assigned a school resource officer, the adequate local law enforcement coverage that
20 will be provided to the public high school.

21 (2) Beginning with the 2019–2020 school year, and each school year
22 thereafter, before the school year begins, each local school system shall, in accordance with
23 the plan developed under subsection **[(d)(2)] (E)(2)** of this section, file a report identifying:

24 (i) The public schools in the local school system’s jurisdiction that
25 have a school resource officer assigned to the school; and

26 (ii) If a public school in the local school system’s jurisdiction is not
27 assigned a school resource officer, the adequate local law enforcement coverage that will be
28 provided to the public school.

29 (3) On or before October 1, 2018, and each October 1 thereafter, the Center
30 shall submit a summary of the reports required under this subsection to the Governor and,
31 in accordance with § 2–1257 of the State Government Article, the General Assembly.

32 **[(f)] (G)** Each local school system shall post on the school system’s website
33 information on the role and authority of school resource officers assigned to public schools

1 within the school system.

2 **[(g)] (H)** (1) For fiscal year 2020 and each fiscal year thereafter, the Governor
3 shall appropriate in the annual State budget \$10,000,000 to the Fund for the purpose of
4 providing grants to local school systems and local law enforcement agencies to assist in
5 meeting the requirements of subsection **[(e)] (F)** of this section.

6 (2) Grants provided under this subsection shall be made to each local
7 school system based on the number of schools in each school system in proportion to the
8 total number of public schools in the State in the prior year.

9 **[(h)] (I)** (1) The Center shall collect data on incidents of use of force between:

10 (i) Any school resource officer and a student while a school resource
11 officer is carrying out the officer's duties; and

12 (ii) Any school security employee and a student while the school
13 security employee is carrying out the employee's duties.

14 (2) On or before December 1, 2020, and each December 1 thereafter, the
15 Center shall submit a report on the data collected under paragraph (1) of this subsection
16 for each jurisdiction, in accordance with federal and State law, to the Governor and, in
17 accordance with § 2-1257 of the State Government Article, the General Assembly.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2020.