

HOUSE BILL 472

F1
HB 1536/20 – W&M

2lr0691
CF SB 887

By: Delegates J. Lewis, Bartlett, Boyce, Cardin, Cullison, Foley, Fraser-Hidalgo, Henson, Hill, Howell, Jalisi, R. Jones, Kaiser, Kelly, Landis, Lehman, Lierman, Love, Luedtke, McComas, McIntosh, Proctor, Qi, Reznik, Terrasa, Valentino-Smith, and Williams

Introduced and read first time: January 21, 2022

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2022

CHAPTER _____

1 AN ACT concerning

2 **Primary and Secondary Education – Title IX – ~~Policies and Procedures~~ Notice**
3 **(Hear Our Voices Act of 2022)**

4 FOR the purpose of requiring ~~the State Board of Education to develop policies and~~
5 ~~procedures for reporting, administering, investigating, and resolving complaints~~
6 ~~related to incidents of sexual misconduct and violations of a certain federal law;~~
7 ~~authorizing a person to bring a civil action against a local system that fails to comply~~
8 ~~with certain policies and procedures and to recover damages, reasonable costs, and~~
9 ~~attorney's fees;~~ each public school to inform students, faculty, staff, and parents
10 regarding who serves as the Title IX coordinator for the school, the process for filing
11 a sexual misconduct complaint, and the support measures that are in place for filing
12 a sexual misconduct complaint and how to access the support measures; and
13 generally relating to sexual misconduct complaints and Title IX compliance.

14 BY adding to
15 Article – Education
16 Section ~~7-450~~ 7-129
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2021 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article - Education

~~7-150.~~

~~(A) ON OR BEFORE MARCH 31, 2023, THE STATE BOARD, AFTER CONSULTATION WITH LOCAL SCHOOL SYSTEMS, SHALL DEVELOP POLICIES AND PROCEDURES FOR REPORTING, ADMINISTERING, INVESTIGATING, AND RESOLVING COMPLAINTS RELATED TO INCIDENTS OF SEXUAL MISCONDUCT AND TITLE IX OF THE EDUCATION AMENDMENTS OF 1972.~~

~~(B) THE POLICIES AND PROCEDURES DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION SHALL REQUIRE:~~

~~(1) THE DEPARTMENT TO DEVELOP A DATABASE FOR ADMINISTRATORS TO UPLOAD SEXUAL MISCONDUCT COMPLAINTS; AND~~

~~(2) A PUBLIC SCHOOL TO:~~

~~(i) NOTIFY THE PARENT OR GUARDIAN OF A STUDENT WHO FILES A COMPLAINT RELATED TO SEXUAL MISCONDUCT;~~

~~(ii) COLLECT DATA ON SEXUAL MISCONDUCT COMPLAINTS AND REPORT THE DATA TO THE DEPARTMENT EACH YEAR; AND~~

~~(iii) INFORM STUDENTS, FACULTY, AND STAFF OF:~~

~~1. WHO SERVES AS THE TITLE IX COORDINATOR FOR THE SCHOOL; AND~~

~~2. HOW TO FILE A SEXUAL MISCONDUCT COMPLAINT.~~

~~(C) A PERSON MAY:~~

~~(1) BRING A CIVIL ACTION AGAINST A LOCAL SCHOOL SYSTEM THAT FAILS TO COMPLY WITH THE POLICIES AND PROCEDURES DEVELOPED UNDER THIS SECTION; AND~~

~~(2) RECOVER DAMAGES, REASONABLE COSTS, AND ATTORNEY'S FEES.~~

~~(D) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.~~

~~7-129.~~

1 EACH PUBLIC SCHOOL SHALL INFORM STUDENTS, FACULTY, STAFF, AND
2 PARENTS REGARDING:

3 (1) WHO SERVES AS THE TITLE IX COORDINATOR FOR THE SCHOOL;

4 (2) THE PROCESS IN PLACE FOR FILING A SEXUAL MISCONDUCT
5 COMPLAINT; AND

6 (3) THE SUPPORT MEASURES THAT ARE IN PLACE FOR AN
7 INDIVIDUAL WHO FILES A SEXUAL MISCONDUCT COMPLAINT AND HOW TO ACCESS
8 THE SUPPORT MEASURES.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.