

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1380
Ways and Means

(Delegate Fisher)

Calvert County - Board of Education - Civil Rights Data Collection and Reporting

This bill requires the Calvert County Board of Education to collect and update the data required for the biennial federal Civil Rights Data Collection Survey on an annual basis. The county board must also collect other specified data for each public school in the county and each school bus transporting students in the county. By February 26 of each year, the county board must submit a report of the data collected to the members of the Calvert County Delegation and the Calvert County Commissioners. Additionally, the county board must post a copy of the report on the board's website in a prominent location with a factually descriptive heading that accurately represents the information contained in the post. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None.

Local Effect: Calvert County expenditures may increase by an indeterminate amount to track and report the required data. County revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The Calvert County Board of Education must collect data on (1) the total number of reportable incidents that occurred on school buses; (2) the total number of drug-related incidents; (3) the total number of times an opioid antagonist medication was

administered, including Narcan or naloxone; and (4) the total number of times an ambulance service was used.

Current Law: The Maryland State Department of Education (MSDE) annually publishes statewide [data on suspensions, expulsion, and health related exclusions](#) in Maryland public schools. This data includes information on suspension or expulsion related to drugs or controlled substances. MSDE also annually publishes [data on arrests in Maryland public schools](#), including breakouts by county.

Civil Rights Data Collection Survey

According to the U.S. Department of Education, The [Civil Rights Data Collection Survey](#) is a federally mandated survey of all public schools and school districts in the United States (including the District of Columbia and Puerto Rico). The purpose of the survey is to obtain data and information on equal educational opportunity at public schools. The 2020-2021 survey collected data on a variety of topics including enrollment and student characteristics, teachers and school support staff, school climate (including student discipline, harassment or bullying, school offenses, school-related arrests, referrals to law enforcement, restraint and seclusion), school and school district characteristics (including distance education enrollment, desegregation plans, civil rights coordinators, and justice facilities), Internet access and devices, and courses and school program offerings.

Reportable Offenses

When a student is arrested for a “reportable offense” or an offense related to the student’s membership in a criminal organization, the law enforcement agency making the arrest must notify (1) the local superintendent; (2) the school principal; and (3) if appropriate, the school security officer. The law enforcement agency may also notify the State’s Attorney.

A reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as specified in current law, and numerous other specified weapons-, drug-, assault-, and theft-related offenses. If a student is removed or excluded from the student’s regular school for a reportable offense, the student’s attorney (if applicable) must be invited to participate in a conference between the student or the student’s parent or guardian and the principal or county superintendent.

Except by order of a juvenile court with good cause shown, information about a student’s arrest is confidential and may not be redisclosed, except as specified, and may not be part of the student’s permanent educational record. A superintendent may share the information as part of a confidential file with another superintendent or a nonpublic school in the State in which the student has enrolled. The information shared must include information

regarding any educational programming and related services provided to the student. The State Board of Education is required to adopt regulations to ensure that information obtained by local superintendents, principals, or school security officers is used only for specified educational purposes and is destroyed when the student graduates, otherwise permanently leaves school, or turns 22 years old, whichever comes first.

Local Expenditures: Calvert County Public Schools advises that the biennial federal Civil Rights Data Collection Survey is a significant undertaking that places a large burden on the public school system. Therefore, collecting and reporting this data on an annual basis, instead of biennially, would not be possible with existing resources available to the public school system. The school system further advises that producing the report outside of the biennial timeline established under current law is particularly burdensome as the U.S. Department of Education Office for Civil Rights performs a large portion of the validation, data review, privacy adjustment, and reformatting of the data before final publication. Outside of the normal reporting cycle, Calvert County Public Schools would need to perform these tasks on its own in addition to the task of collecting the initial data required for the report and the new data fields as specified in the bill. As a result, Calvert County Public Schools expenditures may increase by an indeterminate amount for both additional personnel and information technology costs.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Calvert County Public Schools; Maryland Commission on Civil Rights; Department of Legislative Services

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