

The Safe to Learn Act of 2018

In the final week of the 2018 legislation session, a more than 40-page piece of legislation was drafted, amended, and ultimately enacted as the Maryland Safe to Learn Act of 2018 ([Senate Bill 1265](#), Chapter 30). This new law restructures the governance system for overseeing school safety policies and grants, calls for staffing guidelines regarding adequate law enforcement coverage at all schools, and calls for an expanded role of local school systems in coordinating students' mental health services.

Safety and security in public schools is extremely important to MABE and local boards of education for the protection of students and staff. Safety and security is also necessary to environments that are conducive to teaching and learning. Therefore, MABE fully supported the primary objective of this legislation to ensure that school systems and schools throughout the State are adopting and implementing high quality safety and security standards and programs.

Initially, [Senate Bill 1265, The Safe to Learn Act](#) was one of several school safety related bills introduced. Originally, this bill simply focused on providing funding for safety-related school facility upgrades. In the last week of the 2018 session the bill was completely amended by the Senate and delivered to the House early on April 7, the Saturday morning before session ended. The House Ways and Means Committee then adopted the bill with amendments, and by Saturday afternoon the full House began to take final action on the bill. With final passage on the last day of session, and the Governor's signature on April 10, the amended Safe to Learn Act will usher in a new era of school safety and security in Maryland's public schools.

The bill is massive in scope, and while accompanied by substantial State funding in FY 2019, it will require significantly greater investments by the State, local governments, and school systems in the years ahead. For example, significant State funding is provided for school facility related projects and local law enforcement. But, no additional State funding is provided to fulfill one of the bill's provisions, ensuring that students receive necessary mental health services.

The following outline draws from the detailed analysis provided in the [bill's fiscal and policy note](#).

School Safety Subcabinet and Advisory Board

- The School Safety Subcabinet consists of the State Superintendent of Schools; the Secretary of Health; the Secretary of State Police; the Attorney General; the Secretary of the Department of Disabilities; and the Executive Director of the Interagency Committee on School Construction (IAC). The State Superintendent or designee chairs the subcabinet and the Executive Director of MCSS provides staff.
- The School Safety Subcabinet Advisory Board is established and includes a broad array of more than 20 stakeholders, including MABE and PSSAM, to advise and assist the subcabinet in carrying out its duties.

Maryland Center on School Safety (MCSS)

- The bill moves MCSS from an independent unit within the State Police to an independent unit within MSDE. MCSS will continue to be based at the Maryland Coordination and Analysis Center, but must establish a satellite office at Bowie State University. The FY 2019 budget provides \$2.5 million in funding for 13 new positions in MCSS.

School Safety Assessment Teams

- By September 1, 2018, the subcabinet must develop a model policy for the establishment of one or more assessment teams in each local school system. The model policy must address (1) the identification of, and intervention with, students or other individuals who may pose a threat to school safety; (2) the composition and appropriate number of assessment teams within local school systems; and (3) training for the assessment teams.

School Safety Coordinators, School Safety Evaluations and Emergency Plans

- Each local school system must designate a school safety coordinator, who must be certified by MCSS and serve as the liaison between the local school system, local law enforcement, and MCSS.
- By June 15, 2019, and regularly thereafter, each local school system must conduct a safety evaluation of each school to (1) identify and, if necessary, develop solutions for physical safety concerns and (2) identify and evaluate any patterns of safety concerns on school property or at school-sponsored events.
- By July 1, 2020, and regularly thereafter, each local school system must update the school emergency plan for each public school.

School Resource Officers (SROs)

- An SRO is defined as (1) a law enforcement officer assigned to a school in accordance with a memorandum of understanding between a local law enforcement agency and a local school system or (2) a Baltimore City School Police Officer.
- By September 1, 2018, MCSS, in consultation with local school systems, must develop a specialized curriculum to be used in training SROs.
- All SROs must complete an approved specialized training program by September 1, 2019.
- MCSS shall collect and report data on incidents of use of force between any school resource officer and a student.
- Requiring each local school system to post information on the role and authority of SROs on the school system's website.

School Safety and Security Funding

The FY 2019 operating and capital budgets include a medley of school safety funds, including:

- \$2.5 million for 13 new positions at the Center for School Safety;
- \$2.5 million in safety assessment grants to be administered by the Center;
- \$10 million in MSDE grants for school safety;
- \$10 million in IAC grants for safety related operating and capital projects; and
- \$10 million in capital budget funding for IAC grants.

The Safe to Learn Act also mandates \$10 million in funding in FY 2020 and beyond for SROs and other local law enforcement strategies to provide adequate school coverage.

- Before the 2018-2019 school year, each local school system shall file a report with the MSCC identifying the high schools that have an SRO assigned to the school; and, if a high school is not assigned an SRO, how adequate local law enforcement coverage will be provided to the high school.
- Beginning with the 2019–2020 school year, and each school year thereafter, before the school year begins, each local school system shall file a report identifying: the public schools in the local school system’s jurisdiction that have an SRO assigned to the school; and, if a public school in the local school system’s jurisdiction is not assigned an SRO, the adequate local law enforcement coverage that will be provided to the public school.
- For FY 2020 and each year thereafter, the Governor shall appropriate in the annual state budget \$10,000,000 to the fund for the purpose of providing grants to local school systems and local law enforcement agencies to assist in meeting the requirements of the SRO/Adequate Coverage section of the bill. Grants are to be made to each local school system based on the number of schools in each school system in proportion to the total number of public schools in the state in the prior year.

The 21st Century School Facilities Act ([HB 1783](#)) creates the School Safety Grant program to provide IAC administered grants to local school systems for security improvements, including:

- Secure and lockable doors for every classroom;
- An area of safe refuge in every classroom; and
- Surveillance and other security technology for school monitoring purposes.

The Governor is required to include \$10 million in the annual operating or capital budget that may be used only to make grant awards.

School Emergency Drills

- MSDE, in consultation with the subcabinet, may adopt regulations to incorporate age-appropriate components of the Active Shooter Preparedness Program developed by the federal Department of Homeland Security (DHS) or guidelines developed by the Maryland Active Assailant Work Group into the annual schedule of school safety drills.
- The bill authorizes MSDE to adopt regulations for active shooter drills including age and developmentally appropriate procedures for students or school personnel in: (1) securing classrooms; (2) barricading classrooms and school entries; (3) taking refuge in the classroom; and (4) when appropriate, escape from the classroom or school.
- Note that State regulations already require each local school system to develop and implement an annual schedule for drills for each school that, in addition to fire drills, must include a severe weather drill and five types of emergency drills including lock-down, shelter-in-place, evacuation, reverse evacuation, and drop, cover and hold.

School System Mental Health Coordinators, Services and Responsibilities

- By September 1, 2018, each local school system must appoint a mental health services coordinator to coordinate existing mental health services and referral procedures within the local school system.
- Working with specified local entities, the coordinator must (1) ensure that a student who is referred for mental health services obtains the necessary services; (2) maximize external funding for mental health and wraparound services, as defined by the bill; and (3) develop plans for

delivering behavioral health and wraparound services to students who exhibit specified behaviors of concern.

- The bill requires the subcabinet to review the local plans for delivering behavioral health and wraparound services and identify gaps in the availability of services and providers for school-age children in the State by December 1, 2018.
- Grants from the Safe Schools Fund may be used to develop plans for delivering mental health and wrap around services.
- The Kirwan Commission must include in its final report recommendations for additional mental health and wraparound services in local school systems and funding required for those services. The Kirwan Commission’s report is to be finalized by December 31, 2018.

School Safety Planning & the Public Information Act

- School safety evaluations, emergency plans, and local law enforcement coverage policies are not subject to inspection under the Maryland Public Information Act, except by designated State agencies, emergency management agencies, and local law enforcement in the performance of their official duties.

Safe to Learn Act Implementation Timelines	
<p>Assessment Teams</p> <ul style="list-style-type: none"> • Sept. 1, 2018 Model Policy for Assessment Teams Adopted by Subcabinet • Sept. 1, 2019 School Systems to adopt local policy consistent with model policy <p>School Resource Officers (SROs)</p> <ul style="list-style-type: none"> • Sept. 1, 2018 SRO curriculum to be adopted by the Subcabinet and approved by the Maryland Police Training and Standards Commission • Dec. 15, 2018 Center to collect data on SROs and develop guidelines for LEAs on appropriate number of SROs and adequate law enforcement coverage • July 1, 2019 LEAs to develop plan to implement SRO guidelines and submit plan for Center review and comment • Sept. 1, 2019 SROs and other school security personnel to be trained under the new curriculum 	<p>Active Shooter Preparedness</p> <ul style="list-style-type: none"> • 2018-2019 School Year Homeland Security Active Shooter Preparedness Program incorporated in existing emergency drills <p>Safety Evaluations</p> <ul style="list-style-type: none"> • June 15, 2019 School facility safety evaluations must be completed for all schools • Dec. 1, 2019 MSDE must update Emergency Planning Guidelines • July 1, 2020 LEAs must update local emergency plans <p>Mental Health Services</p> <ul style="list-style-type: none"> • Sept. 1, 2018 LEAs must designate a Mental Health Services Coordinator

Looking Forward

MABE has, and will continue to, advocate for adequate and equitable funding for local public school safety programs, alternative education programs, and the wide array of mental health and public safety services provided by other public and private entities. These components are essential to maintaining safe schools and access to a quality education for all of Maryland's students.

MABE looks forward to many successful collaborations between state officials, local boards of education, local elected officials, local law enforcement, and the other interested parties. These contributions will be essential to developing and implementing the public school safety and security programs called for in the Maryland Safe to Learn Act of 2018.

Additional Resources

[MABE's 2018 Legislative Session Summary](#)

An overview of education-related budget and legislative highlights from the 2018 Session.

[The 90 Day Report](#)

The General Assembly's Department of Legislative Services (DLS) comprehensive summary of all policy and budget matters considered during the 2018 Session.

[Maryland State Department of Education School Safety and Climate Resources](#)

MSDE resources and technical assistance on a wide variety of student and school safety issues.

For more information, contact John R. Woolums, Esq., MABE's Director of Governmental Relations, at jwoolums@mabe.org or 410-841-5414.