

BILL: Senate Bill 1265
TITLE: Maryland Safe to Learn Act of 2018
DATE: April 6, 2018
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all twenty-four local boards of education, supports Senate Bill 1265, with amendments, toward the goal of enhancing student and school safety by adopting a more comprehensive and coordinated set of public policies and investing in strategies to make our schools safer. The amendments, which are attached, address serious concerns with the report on the numbers of school resource officers in all schools, and the duties assigned to the school mental health services coordinator.

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

This legislation would restructure the State's approach to governing and administering school safety and security programs by establishing the School Safety Subcabinet and Advisory Board. The subcabinet includes the Secretary of State Police, Secretary of Health, State Superintendent of Schools, Attorney General, and the Director of the IAC. As a founding member of the Center's governing board, MABE looks forward to continuing to serve as one of many organizations represented on the newly formed advisory board. The Subcabinet's responsibilities include establishing the Safe School Information and Best Practices Clearinghouse, facilitating interagency coordination at the State and local levels, collecting and analyzing data, providing technical assistance, distributing grants from the newly established Safe Schools Fund, and reporting annually to the Governor and legislature on school safety programs.

MABE greatly appreciates the FY 2019 allocation in the State operating and capital budgets of \$20 million for safety and security related school facility funding, and more than \$12 million in school safety grants for safety assessments and other purposes. In addition, this legislation requires ongoing investments of \$2 million to support work of the Center, and outlines the purposes of the permanent Safe Schools Fund. MABE anticipates, based on the scope and magnitude of the ongoing responsibilities contained in this bill, the need for an ongoing State investment commensurate with the initial FY 2019 allocation of more than \$30 million to support the work of local school systems.

Local boards of education will continue to support federal, State, and local government funding for local public school safety programs, facility upgrades, and the wide array of behavioral health and public safety services provided by other public and private entities, which are essential to maintaining safe and secure schools and access to an excellent education for all of Maryland's students. At the same time, local boards support local discretion to adopt programs and policies to maintain and improve school safety and security.

MABE believes that the Safe to Learn Act achieves a commendable balance of State governance, funding, and oversight roles and the need to reflect local priorities and resources in carrying out a greatly expanded scope of school safety related services. For example, MABE appreciates the bill's recognition of the important role of the memorandum of understanding between local law enforcement agencies and local school systems regarding the roles and responsibilities of School Resource Officers (SROs) and other issues concerning school safety and security. MABE recognizes the major contributions SROs are making

in schools across the state to benefit school climate, culture and safety. At the same time, SROs are highly trained law enforcement professionals who are in limited supply, and they require additional training on student discipline policies, restorative justice practices, and cultural competency, to work effectively in the school setting.

Regarding SROs, in section 7-1508, the bill as amended on the Senate floor would now require annual reports “demonstrating” that there is an SRO at every elementary, middle and high school, or that adequate local law enforcement coverage is provided. MABE requests amendments to clarify that the purpose of the annual report to the Safety Center should be to identify which schools have SROs assigned to them; and how local law enforcement coverage will be provided to all other schools in emergencies.

MABE firmly believes that safety in public schools is the joint responsibility of local boards of education, school administrators and staff, students, parents and guardians, law enforcement and other public safety agencies, human services agencies, and the community in general. We will continue to urge federal, state, and local governments to ensure adequate and equitable funding for local public school safety programs. In addition, the State must fund the mental health and public safety services provided by other entities, which are essential to maintaining safe schools and communities in which schools are located.

Regarding mental health services, MABE recognizes the important role the local school system’s mental health services coordinator can play – but it should be as coordinator, not service provider. The bill not only clearly defines the coordination role, but also includes requirements to “ensure” that services are provided. To address MABE’s serious concern with this language, we are requesting amendments to clarify that the professional responsibilities of the school system’s mental health services coordinator should not be to ensure that services are provided, but rather to make reasonable efforts to coordinate services under the school system’s control, and make reasonable efforts to verify that outside services are being provided.

Following the tragic events of September 11, 2001, education and public safety officials jointly reviewed and updated school safety policies. In 2004, the State Board adopted regulations requiring local school systems to adopt emergency plans and conduct drills to prepare for violent or traumatic events on school grounds. Following the school shooting in Newtown, Connecticut in 2012, the State Board approved reforms to require evacuation, shelter in place, lockdown and other drills that all schools must conduct each year. In 2013, with MABE’s support, the Maryland Center for School Safety was created to facilitate coordination and collaboration between local school systems, law enforcement agencies, and others.

Today, in the wake of the very recent school shooting at Great Mills High School in St. Mary’s County, Maryland; and the mass shooting on Feb. 14, 2018 at Marjory Stoneman Douglas High School in Parkland, Florida, Maryland and other states are appropriately considering legislation and funding initiatives to strengthen school security and provide the maximum amount of school safety assurances for our students. Maryland has a strong record of continuous improvement in student and school safety, and MABE is confident we will continue to do so.

For these reasons, MABE requests a favorable report on Senate Bill 1265, with the amendments described above and attached.

Maryland Association of Boards of Education

Amendments Requested for SB 1265

April 6, 2018

MABE requests the following amendments to clarify that the purpose of the annual SRO report to the Safety Center is to identify which schools have SROs assigned to them; and how local law enforcement coverage will be provided to all other schools in emergencies.

AMENDMENTS TO CLARIFY THE SRO PROVISION

On page 26, in line 23, strike "DEMONSTRATING" and replace with "IDENTIFYING".

On page 26, in line 24, strike "THAT EVERY" and replace with "WHICH"; and replace "SCHOOL" with "SCHOOLS"; and in line 25, strike "HAS" and replace with "HAVE".

On page 26, in line 26, strike "OR" and replace with "AND".

On page 26, in line 27, strike "IF A" and replace with "FOR EACH".

On page 26, in line 28, strike "IS"; and strike "THAT" and replace with "HOW".

On page 26, in line 30, after "SCHOOL", insert "IN AN EMERGENCY".

21 (E) (1) BEGINNING WITH THE 2018–2019 SCHOOL YEAR, AND EACH
22 SCHOOL YEAR THEREAFTER, BEFORE THE SCHOOL YEAR BEGINS, EACH LOCAL
23 SCHOOL SYSTEM SHALL FILE A REPORT WITH THE CENTER ~~DEMONSTRATING~~
IDENTIFYING:

24 (I) ~~THAT EVERY~~ WHICH PUBLIC HIGH SCHOOL **SCHOOLS** IN THE LOCAL SCHOOL
25 SYSTEM'S JURISDICTION ~~HAS~~ **HAVE** A SCHOOL RESOURCE OFFICER ASSIGNED TO THE
26 SCHOOL; ~~OR~~ **AND**

27 (II) ~~IF A~~ **FOR EACH** PUBLIC HIGH SCHOOL IN THE LOCAL SCHOOL SYSTEM'S
28 JURISDICTION ~~IS~~ NOT ASSIGNED A SCHOOL RESOURCE OFFICER, ~~THAT~~ **HOW**
ADEQUATE
29 LOCAL LAW ENFORCEMENT COVERAGE WILL BE PROVIDED TO THE PUBLIC HIGH
30 SCHOOL **IN AN EMERGENCY**.

Maryland Association of Boards of Education

Amendments Requested for SB 1265

April 6, 2018

MABE requests the following amendments to clarify that the professional responsibilities of the school system's mental health services coordinator should not be to ensure that services are provided, but rather to make reasonable efforts to coordinate services under the school system's control, and make reasonable efforts to verify that outside services are being provided.

AMENDMENTS TO CLARIFY THE MENTAL HEALTH COORDINATOR PROVISION

On page 30, in line 12, after "SHALL" insert "MAKE REASONABLE EFFORTS TO".

On page 30, in line 18, strike "ENSURE" and replace with "VERIFY".

10 (A) ON OR BEFORE SEPTEMBER 1, 2018, EACH LOCAL SCHOOL SYSTEM
11 SHALL APPOINT A MENTAL HEALTH SERVICES COORDINATOR.

12 (B) EACH MENTAL HEALTH SERVICES COORDINATOR SHALL **MAKE REASONABLE**
EFFORTS TO:

13 (1) COORDINATE EXISTING MENTAL HEALTH SERVICES AND
14 REFERRAL PROCEDURES FOR MENTAL HEALTH SERVICES WITHIN THE LOCAL
15 SCHOOL SYSTEM;

16 (2) WORKING IN COLLABORATION WITH THE LOCAL HEALTH
17 DEPARTMENT, THE LOCAL DEPARTMENT OF SOCIAL SERVICES, AND OTHER LOCAL
18 ENTITIES THAT PROVIDE MENTAL HEALTH SERVICES, ~~ENSURE~~ **VERIFY** THAT A
STUDENT
19 WHO IS REFERRED FOR MENTAL HEALTH SERVICES OBTAINS THE NECESSARY
20 SERVICES;

21 (3) MAXIMIZE EXTERNAL FUNDING FOR MENTAL HEALTH AND
22 WRAPAROUND SERVICES; AND

23 (4) DEVELOP PLANS FOR DELIVERING BEHAVIORAL HEALTH AND
24 WRAPAROUND SERVICES TO STUDENTS WHO EXHIBIT BEHAVIORS OF CONCERN.