



**Mohammed Choudhury**  
State Superintendent of Schools

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**TO:** Members of the State Board of Education

**FROM:** Mohammed Choudhury

**DATE:** October 26, 2021

**SUBJECT:** COMAR 13A.07.11  
*Student Suicide Prevention and Safety Training*  
**PERMISSION TO PUBLISH**

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**PURPOSE:**

The purpose of this item is to request permission to publish amendments to COMAR 13A.07.11 *Student Suicide Prevention and Safety Training*.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15 day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

**BACKGROUND:**

Effective July 1, 2021, Section 6-122 of Chapter 36 of the Education Article, Annotated Code of Maryland (House Bill 1300 of the 2020 Regular Session of the Maryland General Assembly) was amended to require additional in-service training for all certificated school personnel who have direct contact with students on a regular basis.

In addition to providing training to understand and respond to youth suicide risk and identify professional resources to help students in crisis, the new legislation requires that all certificated

personnel who have direct contact with students on a regular basis receive in-service training in the skills to recognize student behavioral health issues, recognize students experiencing trauma or violence out of schools, and refer students to behavioral health services. If the school is a community school, the in-service training must address support for any student needing the services at a community school.

On July 24, 2018, the State Board of Education granted permission to adopt the original regulation, COMAR 13A.07.11 *Student Suicide Prevention and Safety Training*, which required each Local School System (LSS) to provide annual training to all certificated school staff to: (1) understand and respond to youth suicide risk; (2) understand and respond to student mental health, student trauma, student safety and other topics related to student social and emotional well-being; and (3) identify professional resources to help students in crisis. The proposed update incorporates the additional requirements of Education Article Section 6-122 regarding behavioral health, trauma and violence out of schools, community schools, and changes in wording under Section 13A.07.11.03(2).

**EXECUTIVE SUMMARY:**

The proposed amendments define, update, and clarify the requirements for student suicide prevention and safety training to reflect the newly legislated mandate to expand language on suicide prevention that requires in-service training to enable educators to recognize student behavioral health issues; recognize students experiencing trauma or violence out of school and refer students to behavioral health services; and if the school is a community school, address support for any students needing the services at a community school.

**ACTION:**

Request that the State Board publish proposed amendments to COMAR 13A.07.11 *Student Suicide Prevention and Safety Training*.

**ATTACHMENTS:**

COMAR 13A.07.11 *Student Suicide Prevention and Safety Training*

# Title 13A STATE BOARD OF EDUCATION

## Subtitle 07 SCHOOL PERSONNEL

### Chapter 11 Student Suicide Prevention and Safety Training

Authority: Education Article, §§2-205, 6-122, and 6-704, Annotated Code of Maryland

#### **.01 Scope.**

This chapter establishes a program of training in suicide prevention and student safety for all certificated school personnel who have direct contact with students on a regular basis.

#### **.02 Definition.**

A. In this chapter, the following terms [has] have the meaning indicated.

B. Term Defined. "Certificated school personnel" means an individual who holds a certificate from the Maryland State Department of Education in:

- (1) Early childhood education;
- (2) Elementary education;
- (3) Middle school education;
- (4) General secondary content areas;
- (5) Special education;
- (6) Specialty areas, such as art, dance, English for Speakers of Other Languages, environmental education, and health;
- (7) Administrative or supervisory areas;
- (8) Specialist areas; and
- (9) Student support personnel.

C. "Behavioral Health" means the promotion of mental health, resilience, and wellbeing; the treatment of mental and substance use disorders, and the support of those who experience and/or are in recovery from these conditions, along with their families and communities.

D. "Trauma" means when an individual is exposed to an overwhelming event, or series of events, and is rendered helpless in the face of intolerable danger, anxiety or instinctual arousal.

#### **.03 Required Training.**

A. All certificated school personnel who have direct contact with students on a regular basis shall complete training on or before December 1 of each year, by a method determined by each county board, in the skills required to:

- (1) Understand and respond to youth suicide risk;
- (2) Understand and respond to student mental health, student trauma, student safety and other topics related to student social and emotional well-being; [and]

(3) Identify professional resources to help students in crisis[.];

(4) Recognize student behavioral health issues;

(5) Recognize a student experiencing trauma or violence out of school and refer the student to behavioral health services, which includes, but not limited to, the school counselor, school psychologist, school nurse, and school social worker, and the student support team, and

(6) If the school is a community school, support any students needing the services at a community school.

B. The training required by §A of this regulation shall be:

- (1) Provided to certificated school personnel during an in-service program; or
- (2) A professional development requirement that may be met during time designated for professional development.

#### **.04 No Duty of Care.**

A. The training requirement set forth in Regulation .03 of this chapter may not be construed to impose a duty of care on certificated school personnel who complete the training.

B. Unless the acts or omissions of a certificated school employee who completed the training required by Regulation .03 of this chapter are willful, wanton, or grossly negligent, a person may not bring an action against a county board for personal injury or wrongful death caused by an act or omission resulting from:

- (1) Any training or lack of training of certificated personnel under Regulation .03 of this chapter; or
- (2) The implementation of the training under Regulation .03 of this chapter.

#### **.05 Documentation of Training.**

The training requirement set forth in Regulation .03 of this chapter shall be monitored through documentation submitted annually to the State Superintendent from the local superintendents by school on the type of training, the number of certificated school personnel trained, the dates of the training, and the materials used for the training.

*Mohammed Choudhury*  
State Superintendent of Schools