

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 137

(Delegate Krebs, *et al.*)

Judiciary

Education - Reportable Offenses in Public Schools - Arrest of Student

This bill adds burglary of a public school building and willful damage of a public school building to the list of offenses that must be reported to the local superintendent of schools if a public school student is arrested and charged with the offense. The State's Attorney must also notify the local superintendent of the disposition of the offense.

Fiscal Summary

State Effect: Any additional reporting required of the Department of State Police and the Office of the State's Attorney is assumed to be minimal and could be handled with the existing resources of the agencies.

Local Effect: Any additional reporting required of local law enforcement agencies could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: Reportable offenses include crimes of violence, crimes not within the original jurisdiction of the juvenile court, certain weapon and drug offenses, and possession of explosives and bomb threats. If a child enrolled in a public school system is arrested for any of these offenses, the law enforcement agency making the arrest must notify the local superintendent of schools of the arrest and the charges within 24 hours or as soon as practicable. The State's Attorney must promptly notify the superintendent of the disposition of a reportable offense. Information about a reportable offense obtained

by a local superintendent must be used to provide appropriate educational programming and related services to the child committing the offense and to maintain a safe school environment for students and personnel. Information may only be transmitted to the principal of the school the child attends and a limited number of other school personnel who need to know.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City and Washington, Montgomery, Prince George's, Kent, and Worcester counties; Maryland State Department of Education; Department of State Police; Department of Legislative Services

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ncs/hlb

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