



HB1005 EDUCATION - HEALTH AND SAFETY OF STUDENTS - NOTIFICATION OF PROBLEMATIC SEXUAL BEHAVIOR

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WAYS AND MEANS COMMITTEE

OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB1005 Education - Health and Safety of Students - Notification of Problematic Sexual Behavior**. This bill requires each public school and nonpublic school that receives State funding to notify the parents or guardians of all students involved in an incident of “problematic sexual behavior” by the close of business on the day of the incident. “Problematic sexual behavior” is student-initiated behavior that involves intimate parts in a manner that is developmentally inappropriate and potentially harmful to the student or others. Local boards of education must ensure that each public school has a policy to provide the required notification.

While this legislation is well-intentioned, we have concerns that the very prescriptive nature of the bill would have unintended consequences. Pursuant to Maryland regulations, school officials must promptly report to the responsible law enforcement agency all delinquent acts. Delinquent acts do not include conduct that has traditionally been treated as a matter of discipline to be handled administratively. However, all conduct of a serious nature should be promptly reported to the parent/guardian.

AACPS agrees that it is important to inform a parent/guardian if a child has been involved in an incident of problematic sexual behavior. However, it is also important that information is not shared until the facts surrounding the situation have been verified. If a school official is required to report this behavior prior to the close of business on the day of the incident, they may be providing inaccurate information due to an incomplete investigation. This could lead to unnecessary anxiety and false allegations. It is also important to understand that it is not always feasible to report to parents/guardians by close of business day on the day of the incident. For example, the incident may have occurred at the end of the school day and school officials have not yet had the necessary time to conduct a thorough investigation.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB1005.