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**By: Charles County Delegation**

Introduced and read first time: February 8, 1996

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Student Safety and Support Act - Reportable Offenses**

3 FOR the purpose of requiring the disclosure to a local school superintendent of certain  
4 information concerning a child arrested for committing any of certain offenses  
5 relating to the control of dangerous substances; requiring the State Board of  
6 Education to adopt certain regulations by a certain date; providing for the effective  
7 date of this Act; and generally relating to the disclosure of certain information  
8 relating to the commission of certain offenses by a child.

9 BY repealing and reenacting, with amendments,  
10 Article - Education  
11 Section 7-302.1  
12 Annotated Code of Maryland  
13 (1992 Replacement Volume and 1995 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Education**

17 7-302.1.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Law enforcement agency" means the law enforcement agencies listed in  
20 Article 27, § 727(b) of the Code.

21 (3) "Local school system" means the schools and school programs under the  
22 supervision of the local superintendent.

23 (4) "Local superintendent" means the county superintendent, for the county  
24 in which a child is enrolled, or a designee of the superintendent, who is an administrator.

25 (5) "Reportable offense" means:

26 (i) A crime of violence, as defined in Article 27, § 643B of the Code;

27 (ii) Any of the offenses enumerated in § 3-804(e)(4) of the Courts  
28 Article; [or]

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1 (iii) A violation of Article 27, § 36, § 36A, or § 36B of the Code; OR

2 (IV) A VIOLATION OF ARTICLE 27, § 286, § 286B, § 286D, § 287, § 287A,  
3 OR § 287B.

4 (b) If a child enrolled in the public school system is arrested for a reportable  
5 offense, the law enforcement agency making the arrest shall notify the local  
6 superintendent of the arrest and the charges within 24 hours of the arrest or as soon as  
7 practicable.

8 (c) The State's Attorney shall promptly notify the local superintendent of the  
9 disposition of the reportable offense required to be reported under subsection (b) of this  
10 section.

11 (d) Except by order of a juvenile court or other court upon good cause shown, the  
12 information obtained by a local superintendent pursuant to subsections (b) and (c) of this  
13 section:

14 (1) Is confidential and may not be redisclosed by subpoena or otherwise  
15 except as provided pursuant to subsection (e) of this section; and

16 (2) May not be made part of the child's permanent educational record.

17 (e) By no later than September 1, 1995, the State Board shall adopt regulations to  
18 ensure that information obtained by a local superintendent under subsections (b) and (c)  
19 of this section is:

20 (1) Used to provide appropriate educational programming and related  
21 services to the child and to maintain a safe and secure school environment for students  
22 and school personnel; and

23 (2) Transmitted only to the school principal of the school in which the child  
24 is enrolled and other school personnel necessary to carry out the purposes set forth in  
25 subsection (e)(1) of this section.

26 (f) Nothing in this section is intended to limit the manner in which a local school  
27 obtains information or uses information obtained by any lawful means other than that set  
28 forth in subsections (b) and (c) of this section.

29 SECTION 2. AND BE IT FURTHER ENACTED, That, not later than September  
30 1, 1996, the State Board of Education shall adopt regulations to incorporate the changes  
31 in the law made by this Act.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 June 1, 1996.