

SENATE BILL 384

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HB 966/98 - W&M

1999 Regular Session  
9r1639  
CF 9r1640

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By: **Senators Jacobs, Hooper, and Collins**  
Introduced and read first time: February 5, 1999  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Reportable Offenses by Children**

3 FOR the purpose of adding, in Harford County only, the arrests of public school  
4 children for certain controlled dangerous substances offenses to a list of offenses  
5 that are required to be reported to certain school officials; and generally relating  
6 to reportable offenses by children.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 7-303  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 1998 Supplement)

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

14 **Article - Education**

15 7-303.

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

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

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

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

24 (5) "Reportable offense" means:

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

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

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

4 (IV) IN HARFORD COUNTY, A VIOLATION OF ARTICLE 27, § 286, § 286A,  
5 § 286B, § 286C, § 286D, OR § 286E OF THE CODE.

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

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

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

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

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

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

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

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

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

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 1999.