

SENATE BILL 384

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HB 966/98 - W&M

1999 Regular Session
9r1639
CF 9r1640

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

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.