

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

Senate Bill 713 (Senator Roesser)

Economic and Environmental Affairs

Judiciary

Arrest of a Student - Transfer to Another School System - Notification

This bill allows a local school superintendent to transfer a record of a student's arrest to the local superintendent of another public school system in Maryland where the student is enrolled or has been transferred if the disposition of the arrest was a conviction or an adjudication of delinquency or the case is still pending. The record must remain a confidential file and the local superintendent transmitting the record must also send information regarding educational programming and related services provided to the arrested student. The State Board of Education must adopt regulations to ensure that information obtained by a local superintendent: (1) is used to provide appropriate educational programming and services to the arrested child; and (2) is transmitted only to the school principal at the school where the arrested student is enrolled or has been transferred.

Fiscal Summary

State Effect: The State Board of Education could adopt additional regulations with existing resources.

Local Effect: Any additional administrative requirements could be met with existing resources.

Small Business Effect: None.

Analysis

Current Law: A local law enforcement agency making an arrest for specified offenses allegedly committed by a public school student must notify the local school

superintendent of the arrest and the charges within 24 hours, and the local State's Attorney must notify the superintendent of the case disposition. Except by order of a court upon good cause shown, the arrest information obtained by a superintendent is confidential and may not be part of the child's permanent record. Student offenses for which a law enforcement agency must notify the local school system include crimes of violence, firearms violations, drug offenses, possession of explosives, and bomb threat violations.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader – February 23, 2001
mld/hlb Revised – Senate Third Reader – March 22, 2001
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