

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

House Bill 150 (Delegates Kach and Olszewski)  
Ways and Means

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**Education - School Administrators - Reports of Violence to Local Law  
Enforcement Unit**

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This bill requires school administrators to report to local law enforcement any act of violence committed by a student or adult on school property that results in an injury requiring a call to emergency services. The school administrator must also report the incident to the local board of education.

The bill takes effect July 1, 2009.

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**Fiscal Summary**

**State Effect:** None. The bill does not affect State operations or finances.

**Local Effect:** None. The bill generally codifies current practice.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Law enforcement agencies that arrest a student for a reportable offense or an offense related to a student's membership in a criminal gang must notify either the local superintendent or the nonpublic school principal of the arrest and charges within 24 hours.

Under COMAR regulations, school officials are required to report delinquent acts, to local law enforcement. School officials must also report the possession of a firearm on school property or at a school-sponsored activity. School officials are also required to

develop standard procedures to report alcohol and other drug abuse on school premises. Some school systems, but not all of them, have policies that require reporting of other offenses, but this is a local school system decision made in conjunction with local law enforcement.

**Background:** According to a U.S. Department of Justice report, several other states have laws that require school officials to report certain types of offenses to local law enforcement. Most states with reporting requirements have incorporated enforcement mechanisms into these reporting laws, making failure to report violent incidents a criminal offense in several states. To encourage reporting compliance, some states have granted immunity for good faith reporting.

Records on how many incidents of school violence that result in an injury requiring a call to emergency services are not kept; however, records show there were 12,271 suspensions for physical attacks on teachers, staff, or students during the 2007-2008 school year; 20,522 suspensions for fighting; and 49 suspensions for serious bodily injury.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Anne Arundel, Charles, Frederick, and Montgomery counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2009  
ncs/mwc

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