

HOUSE BILL 1160

F1, E3

0lr0581

By: **Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, ~~and Rice~~ Rice, Frick, Shank, Murphy, Elmore, F. Turner, Barve, Bartlett, Ross, Walker, Stukes, and George**

Introduced and read first time: February 17, 2010

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2010

CHAPTER _____

1 AN ACT concerning

2 **Safe Schools Act of 2010**

3 FOR the purpose of requiring the juvenile court to notify a certain school official that a
4 child has been found to be delinquent, in need of assistance, or in need of
5 supervision and committed to a certain agency under certain circumstances;
6 requiring a court to notify certain school officials if a child found to be
7 delinquent, in need of assistance, or in need of supervision is no longer
8 committed to the custody of certain agencies; requiring that certain information
9 transmitted by the juvenile court to certain school officials relating to a child
10 found to be delinquent, in need of assistance, or in need of supervision is
11 confidential and may not be made part of the student's permanent educational
12 record; authorizing a local superintendent of schools to transmit certain
13 information as a confidential file to certain persons under certain
14 circumstances; adding certain offenses to a list of offenses for which a student is
15 arrested that are required to be reported to certain school officials under certain
16 circumstances; requiring a certain local law enforcement agency to notify a
17 school security officer of the arrest of a student for a certain offense within a
18 certain period of time under certain circumstances; authorizing a certain law
19 enforcement agency to notify the State's Attorney of the arrest of a student for a
20 certain offense; requiring the State Board of Education to adopt certain
21 regulations; requiring a local school superintendent and a school principal to
22 consider prohibiting a student who is arrested for a reportable offense from
23 attending the same school or riding on the same school bus as the alleged victim

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 under certain circumstances; prohibiting a student who is convicted of or
 2 adjudicated delinquent for a reportable offense involving rape or a sexual
 3 offense from attending the same school or riding on the same school bus as the
 4 victim; requiring ~~each public middle and high school~~ certain public schools to
 5 designate at least one school security officer; requiring the State Board of
 6 Education to develop a model policy to address gangs and gang-like activity in
 7 schools; specifying the components of the model policy; requiring each county
 8 board of education to establish a policy to address gangs and gang-like activity;
 9 requiring each county board to develop the policy in consultation with certain
 10 groups; requiring each county board to publicize its policy in a certain manner;
 11 requiring each county board to submit its policy to the State Board by a certain
 12 date; requiring each county board to develop certain educational programs to
 13 address gangs and gang-like activity in schools; requiring a school employee to
 14 report suspected gang or gang-like activity to certain school officials;
 15 authorizing certain school officials to take certain actions; requiring each county
 16 superintendent of schools to require certain school security meetings for certain
 17 schools; requiring the participation of certain individuals in school security
 18 meetings; requiring each county superintendent to enter into a certain
 19 memorandum of understanding with the county State's Attorney's Office;
 20 requiring the State Department of Education to submit a certain report to the
 21 General Assembly on or before a certain date each year; requiring the
 22 Governor's Office of Crime Control and Prevention to perform certain actions
 23 and submit a certain report to the General Assembly on or before a certain date;
 24 defining certain terms; repealing a certain definition; altering a certain
 25 definition; making certain clarifying and conforming changes; and generally
 26 relating to school safety, gang prevention and intervention in schools, and
 27 truancy.

28 BY repealing and reenacting, with amendments,
 29 Article – Courts and Judicial Proceedings
 30 Section 3–819(b–1) and 3–8A–19(d)(5)
 31 Annotated Code of Maryland
 32 (2006 Replacement Volume and 2009 Supplement)

33 BY repealing and reenacting, with amendments,
 34 Article – Education
 35 Section 7–302 and 7–303
 36 Annotated Code of Maryland
 37 (2008 Replacement Volume and 2009 Supplement)

38 BY adding to
 39 Article – Education
 40 Section 7–424.2
 41 Annotated Code of Maryland
 42 (2008 Replacement Volume and 2009 Supplement)

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

3 **Article – Courts and Judicial Proceedings**

4 3–819.

5 (b–1) (1) If the court finds that a child ENROLLED IN A PUBLIC
6 ELEMENTARY OR SECONDARY SCHOOL is in need of assistance and commits the
7 child to the custody of a local department, the court [may] SHALL notify the county
8 superintendent, the supervisor of pupil personnel, or any other official designated by
9 the county superintendent of the fact that the child has been found to be in need of
10 assistance and has been committed to the custody of a local department.

11 **(2) IF THE COURT RESCINDS THE COMMITMENT ORDER FOR A**
12 **CHILD ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL, THE**
13 **COURT SHALL NOTIFY THE COUNTY SUPERINTENDENT, THE SUPERVISOR OF**
14 **PUPIL PERSONNEL, OR ANY OTHER OFFICIAL DESIGNATED BY THE COUNTY**
15 **SUPERINTENDENT OF THE FACT THAT THE CHILD IS NO LONGER COMMITTED TO**
16 **THE CUSTODY OF A LOCAL DEPARTMENT OF SOCIAL SERVICES.**

17 ~~(2)~~ **(3) The notice REQUIRED UNDER PARAGRAPHS (1) AND (2) OF**
18 **THIS SUBSECTION** may not include any order or pleading related to the child in need
19 of assistance case.

20 **(4) EXCEPT BY ORDER OF A JUVENILE COURT OR OTHER COURT**
21 **ON GOOD CAUSE SHOWN, THE INFORMATION OBTAINED BY AN INDIVIDUAL**
22 **UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION:**

23 **(I) IS CONFIDENTIAL AND MAY NOT BE REDISCLOSED BY**
24 **SUBPOENA OR OTHERWISE EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
25 **SUBSECTION; AND**

26 **(II) MAY NOT BE MADE PART OF THE STUDENT'S**
27 **PERMANENT EDUCATIONAL RECORD.**

28 **(5) A LOCAL SUPERINTENDENT MAY TRANSMIT THE**
29 **INFORMATION OBTAINED UNDER PARAGRAPHS (1) AND (2) OF THIS**
30 **SUBSECTION AS A CONFIDENTIAL FILE TO THE LOCAL SUPERINTENDENT OF**
31 **ANOTHER PUBLIC SCHOOL SYSTEM IN THE STATE OR A NONPUBLIC SCHOOL IN**
32 **THE STATE IN WHICH THE STUDENT HAS ENROLLED OR BEEN TRANSFERRED IF**
33 **THE STUDENT IS STILL COMMITTED TO THE CUSTODY OF A LOCAL**
34 **DEPARTMENT.**

1 **(6) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY**
 2 **OUT PARAGRAPHS (4) AND (5) OF THIS SUBSECTION.**

3 3-8A-19.

4 (d) (5) (i) If the court finds that a child **ENROLLED IN A PUBLIC**
 5 **ELEMENTARY OR SECONDARY SCHOOL** is **DELINQUENT OR** in need of supervision
 6 and commits the child to the custody or under the guardianship of the Department of
 7 Juvenile Services, the court [may] **SHALL** notify the county superintendent, the
 8 supervisor of pupil personnel, or any other official designated by the county
 9 superintendent of the fact that the child has been found to be **DELINQUENT OR** in
 10 need of supervision and has been committed to the custody or under the guardianship
 11 of the Department of Juvenile Services.

12 **(II) IF THE COURT RESCINDS THE COMMITMENT ORDER FOR**
 13 **A CHILD ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL, THE**
 14 **COURT SHALL NOTIFY THE COUNTY SUPERINTENDENT, THE SUPERVISOR OF**
 15 **PUPIL PERSONNEL, OR ANY OTHER OFFICIAL DESIGNATED BY THE COUNTY**
 16 **SUPERINTENDENT OF THE FACT THAT THE CHILD IS NO LONGER COMMITTED TO**
 17 **THE CUSTODY OF THE DEPARTMENT OF JUVENILE SERVICES.**

18 ~~(iii)~~ **(III)** The notice **REQUIRED UNDER SUBPARAGRAPHS (I)**
 19 **AND (II) OF THIS PARAGRAPH** may not include any order or pleading related to the
 20 **DELINQUENCY OR** child in need of supervision case.

21 **(IV) EXCEPT BY ORDER OF A JUVENILE COURT OR OTHER**
 22 **COURT ON GOOD CAUSE SHOWN, THE INFORMATION OBTAINED BY AN**
 23 **INDIVIDUAL UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:**

24 **1. IS CONFIDENTIAL AND MAY NOT BE REDISCLOSED**
 25 **BY SUBPOENA OR OTHERWISE EXCEPT AS PROVIDED IN SUBPARAGRAPH (V) OF**
 26 **THIS SUBSECTION; AND**

27 **2. MAY NOT BE MADE PART OF THE STUDENT'S**
 28 **PERMANENT EDUCATIONAL RECORD.**

29 **(V) A LOCAL SUPERINTENDENT MAY TRANSMIT THE**
 30 **INFORMATION OBTAINED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS**
 31 **SUBSECTION AS A CONFIDENTIAL FILE TO THE LOCAL SUPERINTENDENT OF**
 32 **ANOTHER PUBLIC SCHOOL SYSTEM IN THE STATE OR A NONPUBLIC SCHOOL IN**
 33 **THE STATE IN WHICH THE STUDENT HAS ENROLLED OR BEEN TRANSFERRED IF**
 34 **THE STUDENT IS STILL COMMITTED TO THE CUSTODY OF A LOCAL**
 35 **DEPARTMENT.**

1 (VI) THE STATE BOARD SHALL ADOPT REGULATIONS TO
2 CARRY OUT SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH.

3 **Article – Education**

4 7–302.

5 (a) The principal or head teacher of each public or private school in this State
6 shall report immediately to the county superintendent, the supervisor of pupil
7 personnel, or any other official designated by the county superintendent the name of
8 each child enrolled in his school who has been absent or irregular in attendance,
9 without lawful excuse, or who shows evidence of maladjustment, so that the causes
10 may be studied and solutions worked out.

11 (b) On receipt of a report from a principal or head teacher of a public school
12 that a student has been habitually truant without lawful excuse, the appropriate
13 representative of the school system:

14 (1) Shall initiate an investigation into the cause of the child’s truancy;

15 (2) May provide counseling regarding the availability of social, health,
16 and educational services; and

17 (3) Following the investigation or intervention:

18 (i) May notify the Department of Juvenile Services that the
19 student has been habitually truant, without lawful excuse;

20 (ii) **[Shall] FOR A STUDENT DESCRIBED IN § 3–819(B–1) OF**
21 **THE COURTS ARTICLE, SHALL** notify the appropriate local department that the
22 student has been habitually truant, without lawful excuse[, if a court has given the
23 notice authorized by § 3–819(b–1) of the Courts Article]; and

24 (iii) **[Shall] FOR A STUDENT DESCRIBED IN § 3–8A–19(D)(5)**
25 **OF THE COURTS ARTICLE, SHALL** notify the Department of Juvenile Services that
26 the student has been habitually truant, without lawful excuse[, if a court has given
27 the notice authorized by § 3–8A–19(d)(5) of the Courts Article].

28 (c) The county superintendent, the superintendent’s designee, or the
29 supervisor of pupil personnel shall provide to the local education agency for inclusion
30 in the report of the local education agency under § 7–304(f)(1) of this subtitle
31 information regarding the number of students identified as being habitually truant.

32 7–303.

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

1 (2) “Criminal gang” has the meaning stated in § 9–801 of the Criminal
2 Law Article.

3 (3) “Law enforcement agency” means the law enforcement agencies
4 listed in § 3–101(e) of the Public Safety Article.

5 (4) “Local school system” means the schools and school programs
6 under the supervision of the local superintendent.

7 (5) “Local superintendent” means:

8 (i) The county superintendent, for the county in which a
9 student is enrolled, or a designee of the superintendent, who is an administrator; or

10 (ii) The superintendent of schools for the:

11 1. Archdiocese of Baltimore;

12 2. Archdiocese of Washington; and

13 3. Catholic Diocese of Wilmington.

14 [(6) “Nonpublic school principal” means the principal of the nonpublic
15 school in which a student is enrolled, or a designee of the principal, who is an
16 administrator.]

17 [(7)] **(6)** “Reportable offense” means:

18 (i) A crime of violence, as defined in § 14–101 of the Criminal
19 Law Article;

20 (ii) Any of the offenses enumerated in § 3–8A–03(d)(4) of the
21 Courts Article;

22 (iii) A violation of § 4–101, § 4–102, § 4–203, or § 4–204 of the
23 Criminal Law Article;

24 (iv) A violation of §§ 5–602 through 5–609, §§ 5–612 through
25 5–614, § 5–617, § 5–618, § 5–627, or § 5–628 of the Criminal Law Article;

26 (v) A violation of § 4–503, § 9–504, or § 9–505 of the Criminal
27 Law Article;

28 (vi) A violation of § 6–102, § 6–103, § 6–104, or § 6–105 of the
29 Criminal Law Article; [or]

1 (vii) A violation of § 9–802 or § 9–803 of the Criminal Law
2 Article;

3 (VIII) A VIOLATION OF § 3–203 OF THE CRIMINAL LAW
4 ARTICLE; ~~OR~~

5 (IX) A VIOLATION OF § 6–301 OF THE CRIMINAL LAW
6 ARTICLE ;

7 (X) A VIOLATION OF § 9–302, § 9–303, OR § 9–305 OF THE
8 CRIMINAL LAW ARTICLE; OR

9 (XI) A VIOLATION OF § 7–105 OF THE CRIMINAL LAW
10 ARTICLE.

11 (7) “SCHOOL PRINCIPAL” MEANS THE PRINCIPAL OF THE PUBLIC
12 OR NONPUBLIC SCHOOL IN WHICH A STUDENT IS ENROLLED, OR A DESIGNEE OF
13 THE PRINCIPAL, WHO IS AN ADMINISTRATOR.

14 (8) (I) ~~“SCHOOL SECURITY OFFICER” MEANS AN INDIVIDUAL~~
15 ~~DESIGNATED BY THE COUNTY SUPERINTENDENT OR A SCHOOL PRINCIPAL TO~~
16 ~~HELP MAINTAIN THE SECURITY AND SAFETY OF A SCHOOL. INCLUDES A SCHOOL~~
17 PRINCIPAL, ANOTHER SCHOOL ADMINISTRATOR, A LAW ENFORCEMENT
18 OFFICER, OR OTHER INDIVIDUAL EMPLOYED BY A LOCAL SCHOOL SYSTEM OR A
19 LOCAL GOVERNMENT WHO IS DESIGNATED BY THE COUNTY SUPERINTENDENT
20 OR A SCHOOL PRINCIPAL TO HELP MAINTAIN THE SECURITY AND SAFETY OF A
21 SCHOOL.

22 (II) “SCHOOL SECURITY OFFICER” DOES NOT INCLUDE A
23 TEACHER.

24 [(8)] (9) “Student” means an individual enrolled in a public school
25 system or nonpublic school in the State who is 5 years of age or older and under 22
26 years of age.

27 (b) If a student is arrested for a reportable offense or an offense that is
28 related to the student’s membership in a criminal gang, the law enforcement agency
29 making the arrest:

30 (1) [shall] SHALL notify [either] THE FOLLOWING INDIVIDUALS OF
31 THE ARREST AND THE CHARGES WITHIN 24 HOURS OF THE ARREST OR AS SOON
32 AS PRACTICABLE:

33 (I) [the] THE local superintendent [or];

1 **(II) [the] THE [nonpublic] school principal [of the arrest and the**
2 **charges within 24 hours of the arrest or as soon as practicable]; AND**

3 **(III) FOR A SCHOOL THAT HAS A SCHOOL SECURITY**
4 **OFFICER, THE SCHOOL SECURITY OFFICER; AND**

5 **(2) MAY NOTIFY THE STATE'S ATTORNEY OF THE ARREST AND**
6 **CHARGES.**

7 (c) The State's Attorney shall promptly notify either the local superintendent
8 or the [nonpublic] school principal of the disposition of the reportable offense required
9 to be reported under subsection (b) of this section.

10 (d) Except by order of a juvenile court or other court upon good cause shown,
11 the information obtained by [a local superintendent or nonpublic school principal] **AN**
12 **INDIVIDUAL** pursuant to subsections (b) and (c) of this section:

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

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

17 (e) (1) Notwithstanding the provisions of subsection (d) of this section,
18 nothing shall prohibit a local superintendent or [nonpublic] school principal from
19 transmitting the information obtained pursuant to subsections (b) and (c) of this
20 section as a confidential file to the local superintendent of another public school
21 system in the State or another nonpublic school in the State in which the student has
22 enrolled or been transferred in order to carry out the purposes of this section if the
23 disposition of the reportable offense was a conviction or an adjudication of delinquency
24 or the criminal charge or delinquency petition is still pending.

25 (2) A local superintendent or [nonpublic] school principal who
26 transmits information about a student under this subsection shall include in the
27 transmittal information regarding any educational programming and related services
28 provided to the student.

29 (f) The State Board shall adopt regulations to ensure that information
30 obtained by a local superintendent [or nonpublic school principal], **A SCHOOL**
31 **PRINCIPAL, OR A SCHOOL SECURITY OFFICER** under subsections (b), (c), and (e) of
32 this section is:

33 (1) Used to provide appropriate educational programming and related
34 services to the student and to maintain a safe and secure school environment for
35 students and school personnel; ~~and~~

1 (2) Transmitted only to [the school principal of the school in which the
2 student is enrolled and other] school personnel **OF THE SCHOOL IN WHICH THE**
3 **STUDENT IS ENROLLED AS** necessary to carry out the purposes set forth in item (1) of
4 this subsection; AND

5 (3) DESTROYED WHEN THE STUDENT GRADUATES OR TURNS 22
6 YEARS OLD, WHICHEVER OCCURS FIRST.

7 (G) (1) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS
8 SUBSECTION, THE LOCAL SUPERINTENDENT AND THE SCHOOL PRINCIPAL
9 SHALL CONSIDER PROHIBITING A STUDENT WHO IS ARRESTED FOR A
10 REPORTABLE OFFENSE FROM ATTENDING THE SAME SCHOOL OR RIDING ON
11 THE SAME SCHOOL BUS AS THE ALLEGED VICTIM OF THE REPORTABLE OFFENSE
12 IF SUCH ACTION IS NECESSARY OR APPROPRIATE TO PROTECT THE PHYSICAL
13 OR PSYCHOLOGICAL WELL-BEING OF THE ALLEGED VICTIM.

14 (2) IF A STUDENT IS ARRESTED FOR A REPORTABLE OFFENSE
15 INVOLVING RAPE OR A SEXUAL OFFENSE AND IS CONVICTED OF OR
16 ADJUDICATED DELINQUENT FOR THE RAPE OR SEXUAL OFFENSE, THE STUDENT
17 MAY NOT ATTEND THE SAME SCHOOL OR RIDE ON THE SAME SCHOOL BUS AS
18 THE VICTIM.

19 [(g)] (H) Nothing in this section is intended to limit the manner in which a
20 local school obtains information or uses information obtained by any lawful means
21 other than that set forth in subsections (b), (c), and (e) of this section.

22 (I) EACH PUBLIC ~~MIDDLE SCHOOL AND HIGH SCHOOL~~ SCHOOL THAT
23 ENROLLS STUDENTS IN GRADES SIX THROUGH TWELVE IN THE STATE SHALL
24 DESIGNATE AT LEAST ONE SCHOOL SECURITY OFFICER.

25 7-424.2.

26 (A) (1) IN THIS SECTION, "SCHOOL SECURITY OFFICER" ~~MEANS AN~~
27 ~~INDIVIDUAL DESIGNATED BY THE COUNTY SUPERINTENDENT OR A SCHOOL~~
28 ~~PRINCIPAL TO HELP MAINTAIN THE SECURITY AND SAFETY OF A SCHOOL~~
29 INCLUDES A SCHOOL PRINCIPAL, ANOTHER SCHOOL ADMINISTRATOR, A LAW
30 ENFORCEMENT OFFICER, OR OTHER INDIVIDUAL EMPLOYED BY A LOCAL
31 SCHOOL SYSTEM OR A LOCAL GOVERNMENT WHO IS DESIGNATED BY THE
32 COUNTY SUPERINTENDENT OR A SCHOOL PRINCIPAL TO HELP MAINTAIN THE
33 SECURITY AND SAFETY OF A SCHOOL.

34 (2) "SCHOOL SECURITY OFFICER" DOES NOT INCLUDE A
35 TEACHER.

1 **(B) BY ~~JANUARY 1, 2011~~ MARCH 31, 2011, THE STATE BOARD, AFTER**
2 **CONSULTATION WITH AND INPUT FROM THE DEPARTMENT OF JUVENILE**
3 **SERVICES, THE DEPARTMENT OF STATE POLICE, THE DEPARTMENT OF HUMAN**
4 **RESOURCES, AND LOCAL SCHOOL SYSTEMS, SHALL DEVELOP A MODEL POLICY**
5 **TO ADDRESS GANGS AND GANG-LIKE ACTIVITY IN SCHOOLS.**

6 **(C) THE MODEL POLICY DEVELOPED UNDER SUBSECTION (B) OF THIS**
7 **SECTION SHALL INCLUDE:**

8 **(1) A STATEMENT PROHIBITING GANG ACTIVITY IN SCHOOLS;**

9 **(2) A STATEMENT PROHIBITING REPRISAL OR RETALIATION**
10 **AGAINST INDIVIDUALS WHO REPORT SUSPECTED GANG ACTIVITY;**

11 **(3) A DEFINITION OF GANG AND GANG ACTIVITY;**

12 **(4) STANDARD CONSEQUENCES AND REMEDIAL ACTIONS FOR**
13 **INDIVIDUALS ENGAGED IN GANG OR GANG-LIKE ACTIVITY;**

14 **(5) STANDARD CONSEQUENCES AND REMEDIAL ACTIONS FOR**
15 **INDIVIDUALS FOUND TO HAVE MADE FALSE ACCUSATIONS;**

16 **(6) MODEL PROCEDURES FOR REPORTING SUSPECTED GANG OR**
17 **GANG-LIKE ACTIVITY;**

18 **(7) MODEL PROCEDURES FOR THE PROMPT INVESTIGATION OF**
19 **SUSPECTED GANG OR GANG-LIKE ACTIVITY;**

20 **(8) INFORMATION ABOUT THE TYPES OF SUPPORT SERVICES,**
21 **INCLUDING FAMILY SUPPORT SERVICES, FOR A STUDENT SUSPECTED OF**
22 **PARTICIPATING IN GANG ACTIVITY; AND**

23 **(9) RECOMMENDATIONS CONCERNING GANG PREVENTION AND**
24 **INTERVENTION SERVICES AND PROGRAMS FOR STUDENTS THAT MAXIMIZE**
25 **COMMUNITY PARTICIPATION AND THE USE OF FEDERAL FUNDING.**

26 **(D) (1) EACH COUNTY BOARD SHALL ESTABLISH A POLICY TO**
27 **ADDRESS GANGS AND GANG-LIKE ACTIVITY IN SCHOOLS BASED ON THE MODEL**
28 **POLICY.**

29 **(2) THE POLICY SHALL ADDRESS THE COMPONENTS OF THE**
30 **MODEL POLICY SPECIFIED IN SUBSECTION (C) OF THIS SECTION.**

31 **(3) EACH COUNTY BOARD SHALL DEVELOP THE POLICY IN**
32 **CONSULTATION WITH REPRESENTATIVES OF THE FOLLOWING GROUPS:**

- 1 (I) PARENTS OR GUARDIANS OF STUDENTS;
- 2 (II) SCHOOL EMPLOYEES AND ADMINISTRATORS;
- 3 (III) SCHOOL VOLUNTEERS;
- 4 (IV) STUDENTS;
- 5 (V) LOCAL LAW ENFORCEMENT;
- 6 (VI) GANG PREVENTION AND INTERVENTION PROGRAMS;
- 7 (VII) THE OFFICE OF THE PUBLIC DEFENDER;
- 8 ~~(VII)~~ (VIII) THE MARYLAND STATE'S ATTORNEYS
9 ASSOCIATION; AND
- 10 ~~(VII)~~ (IX) MEMBERS OF THE COMMUNITY.

11 (E) EACH COUNTY BOARD SHALL SUBMIT ITS POLICY TO THE STATE
12 SUPERINTENDENT BY SEPTEMBER 1, 2011.

13 (F) EACH COUNTY BOARD SHALL PUBLICIZE ITS POLICY IN STUDENT
14 HANDBOOKS, ON SCHOOL SYSTEM WEBSITES, AND AT ANY OTHER LOCATION OR
15 VENUE THE COUNTY BOARD DETERMINES IS NECESSARY OR APPROPRIATE.

16 (G) EACH COUNTY BOARD SHALL DEVELOP THE FOLLOWING
17 EDUCATIONAL PROGRAMS IN ITS EFFORTS TO ADDRESS GANGS AND GANG-LIKE
18 ACTIVITY IN SCHOOLS:

19 (1) AN EDUCATIONAL GANG AWARENESS PROGRAM FOR
20 STUDENTS, STAFF, VOLUNTEERS, AND PARENTS; AND

21 (2) A TEACHER AND ADMINISTRATOR DEVELOPMENT PROGRAM
22 THAT TRAINS TEACHERS AND ADMINISTRATORS TO IMPLEMENT THE POLICY.

23 (H) (1) A SCHOOL EMPLOYEE SHALL REPORT ANY INCIDENCE OF
24 SUSPECTED GANG OR GANG-LIKE ACTIVITY PROMPTLY TO THE PRINCIPAL AND,
25 FOR A SCHOOL THAT HAS A SCHOOL SECURITY OFFICER, TO THE SCHOOL
26 SECURITY OFFICER.

27 (2) THE PRINCIPAL AND THE SCHOOL SECURITY OFFICER MAY
28 TAKE APPROPRIATE ACTION TO MAINTAIN A SAFE AND SECURE SCHOOL

1 ENVIRONMENT, INCLUDING THE PROVISION OF APPROPRIATE INTERVENTION
2 SERVICES.

3 (I) (1) EACH COUNTY SUPERINTENDENT SHALL REQUIRE REGULAR
4 SCHOOL SECURITY MEETINGS FOR EACH MIDDLE SCHOOL AND HIGH SCHOOL TO
5 ENSURE COORDINATION OF GANG PREVENTION, INTERVENTION, AND
6 SUPPRESSION EFFORTS.

7 (2) THE FOLLOWING INDIVIDUALS SHALL PARTICIPATE IN THE
8 MEETINGS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION:

9 (I) SCHOOL PRINCIPALS;

10 (II) SCHOOL SECURITY OFFICERS;

11 (III) GUIDANCE COUNSELORS;

12 (IV) LOCAL LAW ENFORCEMENT OFFICERS;

13 (V) REPRESENTATIVES FROM THE COUNTY STATE'S
14 ATTORNEY'S OFFICE;

15 (VI) REPRESENTATIVES FROM THE OFFICE OF THE PUBLIC
16 DEFENDER;

17 ~~(VI)~~ (VII) GANG PREVENTION AND INTERVENTION
18 PROGRAM REPRESENTATIVES; AND

19 ~~(VII)~~ (VIII) ANY OTHER INDIVIDUALS THAT THE COUNTY
20 SUPERINTENDENT CONSIDERS APPROPRIATE.

21 (J) EACH COUNTY SUPERINTENDENT SHALL ENTER INTO A
22 MEMORANDUM OF UNDERSTANDING WITH THE COUNTY STATE'S ATTORNEY'S
23 OFFICE TO FOSTER COORDINATION OF GANG PREVENTION, INTERVENTION,
24 AND SUPPRESSION EFFORTS.

25 (K) ON OR BEFORE JANUARY 1, 2011, AND EACH YEAR THEREAFTER,
26 THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN
27 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE
28 IMPLEMENTATION OF STATE AND LOCAL POLICIES TO ADDRESS GANGS AND
29 GANG-LIKE ACTIVITY DESCRIBED IN THIS SECTION.

30 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1,
31 2011, the Governor's Office of Crime Control and Prevention shall: (1) perform a
32 community services survey to determine which gang prevention and intervention

1 services exist in each county; (2) develop criteria for gang prevention and intervention
 2 programs that are evidence-based and produce measurable outcomes; (3) make
 3 recommendations for a pilot program to provide comprehensive gang prevention and
 4 intervention services for a high school where gang activity is prevalent and the high
 5 school's middle school feeder system; and (4) report its findings and recommendations
 6 to the General Assembly, in accordance with § 2-1246 of the State Government
 7 Article.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 9 ~~October 1, 2010~~ July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.