

# HOUSE BILL 381

F3  
HB 1379/18 – W&M

9lr1674

---

By: **Delegate Long**

Introduced and read first time: January 30, 2019

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County Public Schools – Student Misconduct – Penalty for Parent or**  
3 **Guardian**

4 FOR the purpose of prohibiting a certain student from violating the Baltimore County  
5 Board of Education’s bullying, harassment, and intimidation policy by performing  
6 certain actions; prohibiting a certain student from violating a certain Code of  
7 Student Conduct by fighting; establishing a certain penalty for a certain person who  
8 has legal custody or care and control of a certain student; authorizing a court to  
9 suspend a certain fine under certain circumstances; requiring a court to consider  
10 certain information when making a certain determination; providing for the  
11 application of this Act; defining certain terms; and generally relating to a penalty for  
12 the parent or guardian for student misconduct and Baltimore County public schools.

13 BY adding to

14 Article – Education

15 Section 7–424.4

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2018 Supplement)

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

20 **Article – Education**

21 **7–424.4.**

22 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
23 **INDICATED.**

24 **(2) “BULLYING, HARASSMENT, OR INTIMIDATION” HAS THE MEANING**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 STATED IN § 7-424.1 OF THIS SUBTITLE.

2 (3) (I) "FIGHTING" MEANS AN ACT OF OR A CREDIBLE THREAT OF  
3 PHYSICAL VIOLENCE AGAINST ANOTHER INDIVIDUAL.

4 (II) "FIGHTING" INCLUDES ASSAULT AS DEFINED IN § 3-201 OF  
5 THE CRIMINAL LAW ARTICLE.

6 (B) THIS SECTION APPLIES ONLY IN BALTIMORE COUNTY.

7 (C) A STUDENT ENROLLED IN A PUBLIC SCHOOL MAY NOT VIOLATE THE  
8 BALTIMORE COUNTY BOARD OF EDUCATION'S POLICY ESTABLISHED UNDER §  
9 7-424.1(C) OF THIS SUBTITLE BY:

10 (1) BULLYING, HARASSING, OR INTIMIDATING ANOTHER INDIVIDUAL  
11 AT SCHOOL; OR

12 (2) RETALIATING AGAINST AN INDIVIDUAL FOR REPORTING AN ACT  
13 OF BULLYING, HARASSMENT, OR INTIMIDATION TO THE SCHOOL.

14 (D) A STUDENT ENROLLED IN A PUBLIC SCHOOL MAY NOT VIOLATE THE  
15 BALTIMORE COUNTY PUBLIC SCHOOL'S CODE OF STUDENT CONDUCT BY  
16 FIGHTING.

17 (E) (1) ANY PERSON WHO HAS LEGAL CUSTODY OR CARE AND CONTROL  
18 OF A STUDENT ENROLLED IN A PUBLIC SCHOOL WHO IS THE SUBJECT OF AT LEAST  
19 FOUR REPORTS OF A VIOLATION OF SUBSECTION (C) OR (D) OF THIS SECTION IS  
20 SUBJECT TO A CIVIL FINE NOT TO EXCEED \$1,000.

21 (2) THE COURT MAY SUSPEND THE FINE AND ESTABLISH TERMS AND  
22 CONDITIONS THAT WOULD PROMOTE POSITIVE BEHAVIORAL CHANGES IN THE  
23 STUDENT.

24 (3) IN DETERMINING THE AMOUNT OF THE FINE OR WHETHER TO  
25 SUSPEND THE FINE UNDER THIS SUBSECTION, THE COURT SHALL CONSIDER:

26 (I) THE ACTIONS OF THE PARENT OR GUARDIAN IN RESPONSE  
27 TO EACH REPORT FROM THE STUDENT'S SCHOOL REGARDING THE STUDENT'S  
28 CONDUCT;

29 (II) THE ACTIONS TAKEN BY THE SCHOOL TO MODIFY THE  
30 STUDENT'S CONDUCT AND TO NOTIFY THE STUDENT'S PARENT OR GUARDIAN OF THE  
31 STUDENT'S REPORTED CONDUCT; AND

1 (III) ANY OTHER INFORMATION THE COURT DETERMINES  
2 APPROPRIATE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2019.