

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1175
Ways and Means

(Delegate Grammer)

Public Schools - Reporting of Assaults, Crimes of Violence, and Felonies (Report Act of 2019)

This bill requires a school administration (*i.e.*, a principal of a public school or a designee of the principal) to file specified reports if an assault, a crime of violence, or a felony occurs at a public school and is reported to the school administration. Specifically, the school administration must (1) file a report with the police department of the county (or municipal corporation) in which the school is located; (2) file an administrative incident report with the local board of education that includes the police report number; and (3) provide the police report number and a copy of the administrative incident report to the victim of the assault, crime of violence, or felony (or, if the victim is a student, to the parent of the student). The bill also establishes reporting requirements for local boards of education and the Maryland State Department of Education (MSDE).

Fiscal Summary

State Effect: MSDE can handle the reporting requirement with existing resources. Revenues are not affected.

Local Effect: Expenditures may increase for some local school systems to comply with the reporting requirements. The bill also has an operational impact. Local revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: Each local board of education must (1) adopt regulations that specify the requirements of an administrative incident report; (2) adopt a policy that specifies the penalty for a violation of the bill's requirements (up to and including termination of employment); and (3) within 30 days after the final day of the school year, report the total number of reports filed to MSDE. Within 60 days after the final day of the school year, MSDE must report to the General Assembly the total number of reports filed pursuant to the bill.

Current Law/Background: State regulations require a school superintendent, upon receipt of information from a law enforcement agency of an arrest of a student for a reportable offense, to promptly provide a school principal of the school in which the student is enrolled with arrest information, including the charges. (A reportable offense includes a crime of violence.) In addition, local school systems are required to annually report school arrests and referrals to law enforcement agencies or the Department of Juvenile Services.

Local Expenditures: The bill has an operational impact on all local school systems, which must comply with the bill's reporting requirements. In addition, while some counties may be able to handle the bill's requirements with existing resources, others may incur costs in order to implement the bill.

- Montgomery County Public Schools advises that it expects an increased workload to comply with the reporting requirements, but that it is unclear if any additional staff are necessary to comply with the bill.
- Prince George's County Public Schools does not anticipate any significant fiscal impact from the bill, but advises that operational changes are needed, as school security staff are normally directed to focus on documenting serious felonies, assault, or use and distribution of controlled substances.
- Baltimore City Public Schools advises that it anticipates a fiscal impact totaling about \$79,600 in fiscal 2020 due to the increased number of reports that would be collected, the addition of extra forms and policies, and the tracking of data. The school system further advises that schools do not currently report every single act of violence to the police, as many do not rise to the criminal level, involve young children, and/or can be handled at the school level through behavioral interventions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County; Maryland Association of Counties; Maryland State Department of Education; Department of State Police; Baltimore City Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2019
mm/hlb

Analysis by: Eric F. Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510