

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1204 (Delegate Patterson, *et al.*)
 Ways and Means

Public and Nonpublic Schools - Student Elopement - Notice and Reporting Requirements

This bill requires specified notice and reporting of student elopement (leaving a school campus without the permission of a responsible school staff member). The Maryland State Department of Education (MSDE) must (1) provide guidance to schools regarding data collection and compliance; (2) develop an accountability system to ensure compliance with the bill and any related regulations adopted by MSDE; and (3) analyze data and information collected to determine trends and patterns. By December 1, 2026, and annually thereafter, MSDE must submit a report on student elopement information it receives to the General Assembly. A school or local school board must submit a systemic, evidence-based corrective action plan to MSDE if the school (1) fails to comply with any provision of the bill or (2) reports to MSDE that a student has attempted or accomplished elopement 10 or more times in a school year. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: General fund expenditures increase by \$86,100 in FY 2026 for staffing; out-years reflect annualization, inflation, and termination of one-time costs. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	86,100	102,500	107,000	111,800	116,500
Net Effect	(\$86,100)	(\$102,500)	(\$107,000)	(\$111,800)	(\$116,500)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Minimal. Reporting requirements result in additional staff time beginning in FY 2026, but the impact on local school system finances is assumed to be minor.

Small Business Effect: None.

Analysis

Bill Summary: The bill applies to public schools, the Maryland School for the Blind (MSB), Maryland School for the Deaf (MSD), and nonpublic schools.

Each time a student attempts or accomplishes elopement, the school must notify the student's parent within 24 hours. A school is not required to provide notice if the student has an individualized education program (IEP) or behavioral intervention plan that include measures for responding to an incident of wandering (as specified) or elopement by the student. At least annually, a school or a student's IEP team must review and address wandering or elopement behavior in updating the student's IEP or behavioral intervention plan.

By August 1, 2026, and annually thereafter, each public school must submit to the local board of education a report for the prior year on, as specified, the number of elopements and steps taken to reduce the number of elopement incidents and to encourage positive behavioral interventions. A local board must either verify the accuracy of a report from a school that reports no elopements, or if unable to, make recommendations to the school for improving data collection and positive behavioral interventions. By October 1, 2026, and annually thereafter, each local board must submit to MSDE information compiling information received from its public schools.

By October 1, 2026, and annually thereafter, MSB, MSD, and nonpublic schools must submit to MSDE information equivalent to what public schools must provide to local boards by August 1, as described above. MSDE must either verify the accuracy of a report from a school that reports no elopements, or if unable to, make recommendations to the school for improvements in data collection and positive behavioral interventions.

The bill specifies the procedure for determining the number of elopement incidents for the required reports. MSDE must adopt regulations, and a school must develop policies and procedures, to implement the bill's provisions.

Current Law:

School Attendance, Truancy, and Related Reports

Apart from specified exceptions, any child between the ages of 5 and 17 must attend a public school regularly during the entire school year, and each person with legal custody of a child older than age 4 and younger than age 16 must ensure the child attends school or receives instruction as required.

The principal or head teacher of each public or private school in the State must report the name of each child enrolled in a school who has been absent or irregular in attendance, without lawful excuse, or who shows maladjustment to the county superintendent, the supervisor of pupil personnel, or any other official designated by the county superintendent so that the causes may be studied and solutions worked out.

On receipt of a report from the principal or head teacher that a student has been habitually truant without lawful excuse, the appropriate representative of the local school system (1) must initiate an investigation into the causes of the child's truancy and (2) may provide counseling regarding the availability of social, health, and educational services. Following the investigation or intervention, the local school system may notify the Department of Juvenile Services that the student has been habitually truant. The county superintendent, the superintendent's designee, or the supervisor of pupil personnel must provide to the local education agency information regarding the number of students identified as being habitually truant.

Behavioral Intervention Plan and Individualized Education Program

"Behavior intervention plan" means a proactive plan designed to address problem behavior exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.

The federal Individuals with Disabilities Education Act (IDEA) requires that a child with disabilities be provided a free appropriate public education in the least restrictive environment from birth through the end of the school year in which the student turns 21 years old, in accordance with the Individualized Family Service Plan or IEP specific to the individual needs of the child. An IEP is for students with disabilities age 3 through 21. Local school systems are required to make a free appropriate public education available to students with disabilities from age 3 through 21. However, the State, under its supervisory authority required by IDEA, has the ultimate responsibility for ensuring that this obligation is met.

An IEP is a written statement for each child with a disability that, among other things, must indicate the present levels of academic achievement and functional performance of a child, measurable academic and functional goals for the child, how the child's progress toward meeting these goals will be measured, and the special education and related services that are to be provided for the child. The parent of a child with a disability is a member of the IEP team that is responsible for developing and reviewing a child's IEP and for revisions to the IEP.

State Expenditures: MSDE is unable to carry out the assessment, data analysis, and reporting responsibilities assigned to it by the bill with existing resources. Therefore,

general fund expenditures increase by \$86,109 in fiscal 2026, which accounts for a 90-day start-up delay from the bill’s July 1, 2025 effective date. This estimate includes the cost for MSDE to hire one education program specialist to manage the reporting requirements, data verification, guidance and accountability, and corrective action requirements of the bill. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$78,740
Operating Expenses	<u>\$7,369</u>
Total FY 2026 State Expenditures	\$86,109

Future year expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel County Public Schools; Baltimore County Public Schools; Maryland School for the Deaf; Maryland State Department of Education; Department of Legislative Services

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km/mcr

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