

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1204

Ways and Means

(Delegate Patterson, *et al.*)

Education, Energy, and the Environment

Public and Nonpublic Schools - Student Elopement - Notice and Reporting Requirements (Ace's Law)

This bill requires that each time a student attempts or accomplishes an elopement (leaving a school campus without the permission of a responsible school staff member), the school must notify the student's parent or guardian on the same day as the incident. At least annually, a school or a student's individualized education program (IEP) team must review and address wandering or elopement behavior in updating the student's IEP or behavioral intervention plan. The bill applies to public schools, the Maryland School for the Blind, Maryland School for the Deaf, and nonpublic schools. A school must develop policies and procedures to implement the bill's provisions. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

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

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.

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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