

HOUSE BILL 123

F1, E2

6lr1266

(PRE-FILED)

By: **Delegate Griffith**

Requested: October 21, 2025

Introduced and read first time: January 14, 2026

Assigned to: Ways and Means and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **School Systems – Reportable Offenses – Alterations**

3 FOR the purpose of including institutions and programs of higher education in which a
4 student is enrolled as part of a dual enrollment program in the definition of “school
5 system”; adding certain offenses to the list of offenses a law enforcement agency must
6 report to certain school personnel under certain circumstances; authorizing State’s
7 Attorneys to make a certain notification if a student is arrested for certain offenses;
8 and generally relating to reportable offenses in school systems.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–303
12 Annotated Code of Maryland
13 (2025 Replacement Volume and 2025 Supplement)

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

16 **Article – Education**

17 7–303.

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

19 (2) “Criminal organization” has the meaning stated in § 9–801 of the
20 Criminal Law Article.

21 (3) “Law enforcement agency” means the law enforcement agencies listed
22 in [§ 3–101(e)] **§ 1–101(C)** of the Public Safety Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(4) “Local school system” means the schools and school programs under the
2 supervision of the local superintendent.]

3 [(5)] (4) “Local superintendent” means:

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

6 (ii) The superintendent of schools for the:

- 7 1. Archdiocese of Baltimore;
- 8 2. Archdiocese of Washington; and
- 9 3. Catholic Diocese of Wilmington.

10 [(6)] (5) “Reportable offense” means an offense that:

11 (i) Occurred off school premises;

12 (ii) Did not occur at an event sponsored by the school; and

13 (iii) Involved any of the following:

- 14 1. A crime of violence, as defined in § 14–101 of the Criminal
15 Law Article;
- 16 2. Any of the offenses enumerated in § 3–8A–03(d)(4) of the
17 Courts Article;
- 18 3. A violation of § 4–101, § 4–102, § 4–203, or § 4–204 of the
19 Criminal Law Article;
- 20 4. A violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–606,
21 § 5–607, § 5–608, § 5–608.1, § 5–609, § 5–612, § 5–613, § 5–614, § 5–617, § 5–618, § 5–627,
22 or § 5–628 of the Criminal Law Article;
- 23 5. A violation of § 4–503, § 9–504, or § 9–505 of the Criminal
24 Law Article;
- 25 6. A violation of § 6–102, § 6–103, § 6–104, or § 6–105 of the
26 Criminal Law Article;
- 27 7. A violation of § 9–802 or § 9–803 of the Criminal Law
28 Article;

- 1 8. A violation of § 3–203 of the Criminal Law Article;
- 2 9. A violation of § 6–301 of the Criminal Law Article;
- 3 10. A violation of § 9–302, § 9–303, or § 9–305 of the Criminal
4 Law Article;
- 5 11. A violation of § 7–105 of the Criminal Law Article;
- 6 12. A violation of § 6–202 of the Criminal Law Article; [or]
- 7 13. A violation of § 10–606 of the Criminal Law Article;
- 8 14. A VIOLATION OF § 3–308 OF THE CRIMINAL LAW
9 ARTICLE;
- 10 15. A VIOLATION OF § 11–207 OF THE CRIMINAL LAW
11 ARTICLE, IF THE VICTIM DOES NOT HAVE KNOWLEDGE OF OR DOES NOT CONSENT
12 TO THE PRODUCTION OR THE DISTRIBUTION OF THE CHILD PORNOGRAPHY;
- 13 16. A VIOLATION OF § 3–902 OF THE CRIMINAL LAW
14 ARTICLE;
- 15 17. A VIOLATION OF § 3–1001 OF THE CRIMINAL LAW
16 ARTICLE;
- 17 18. A VIOLATION OF § 3–802 OF THE CRIMINAL LAW
18 ARTICLE;
- 19 19. A VIOLATION OF § 3–809 OF THE CRIMINAL LAW
20 ARTICLE; OR
- 21 20. ANY OTHER ACT THAT IF COMMITTED BY AN ADULT
22 WOULD BE A FELONY.

23 [(7)] (6) “School principal” means the principal of the public or nonpublic
24 school in which a student is enrolled, or a designee of the principal, who is an administrator.

25 [(8)] (7) (i) “School security officer” includes a school principal,
26 another school administrator, a law enforcement officer, or other individual employed by a
27 [local] school system or a local government who is designated by the county superintendent
28 or a school principal to help maintain the security and safety of a school.

29 (ii) “School security officer” does not include a teacher.

(8) "SCHOOL SYSTEM" MEANS:

(I) THE SCHOOLS AND SCHOOL PROGRAMS UNDER THE SUPERVISION OF THE LOCAL SUPERINTENDENT; AND

(II) THE INSTITUTION OF HIGHER EDUCATION OR HIGHER EDUCATION PROGRAM IN WHICH A STUDENT IS ENROLLED AS PART OF A DUAL ENROLLMENT PROGRAM.

(9) "Student" means an individual enrolled in a public school system or nonpublic school in the State who is 5 years of age or older and under 22 years of age.

(b) **(1)** If a student is arrested for a reportable offense or an offense that is related to the student's membership in a criminal organization, the law enforcement agency making the arrest:

[(1)] (I) Shall notify the following individuals of the arrest and the charges within 24 hours of the arrest or as soon as practicable:

[(i)] 1. The local superintendent;

[(ii)] 2. The school principal; and

[(iii)] 3. For a school that has a school security officer, the school security officer; and

[(2)] (II) May notify the State's Attorney of the arrest and charges.

(2) IF THE STATE'S ATTORNEY DETERMINES THAT NOTIFICATION WAS NOT MADE BY A LAW ENFORCEMENT AGENCY UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE'S ATTORNEY MAY PROVIDE THE NOTIFICATION.

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

(d) Except by order of a juvenile court or other court upon good cause shown, the information obtained by an individual pursuant to subsections (b) and (c) of this section:

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

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

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

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

(f) The State Board shall adopt regulations to ensure that information obtained by a local superintendent, a school principal, or a school security officer under subsections (b), (c), and (e) of this section is:

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

(2) Transmitted only to school personnel of the school in which the student is enrolled as necessary to carry out the purposes set forth in item (1) of this subsection; and

(3) Destroyed when the student graduates or otherwise permanently leaves school or turns 22 years old, whichever occurs first.

(g) (1) Except as otherwise provided in paragraph (2) of this subsection, the local superintendent and the school principal shall consider prohibiting a student who is arrested for a reportable offense involving rape or a sexual offense from attending the same school or riding on the same school bus as the alleged victim of the reportable offense if such action is necessary or appropriate to protect the physical or psychological well-being of the alleged victim.

(2) If a student is arrested for a reportable offense involving rape or a sexual offense and is convicted of or adjudicated delinquent for the rape or sexual offense, the student may not attend the same school or ride on the same school bus as the victim.

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

(i) Each public school that enrolls students in grades six through twelve in the State shall designate at least one school security officer.

(j) (1) On or before December 30 each year, the Department, in accordance with State and federal privacy laws, shall submit to the Governor and, in accordance with

§ 2–1257 of the State Government Article, the General Assembly a report that includes the following information about each reportable offense for which a local school received information under subsection (b) of this section in the preceding school year:

(i) The nature of the reportable offense;

(ii) Verification that the offense occurred off school premises;

(iii) Action taken by the local school and county board after being notified of the reportable offense;

(iv) The race, ethnicity, gender, and disability status of the student arrested for the reportable offense;

(v) The grade of the student arrested for the reportable offense;

(vi) The regular school program **OR APPLICABLE DUAL ENROLLMENT PROGRAM** of the student arrested for the reportable offense;

(vii) Whether the student's regular school program **OR APPLICABLE DUAL ENROLLMENT PROGRAM** was altered as a result of the reportable offense;

(viii) If the student was removed from the student's regular school program **OR APPLICABLE DUAL ENROLLMENT PROGRAM** as a result of the reportable offense:

1. The amount of time during which the student was removed; and

2. The student's placement and educational programming during the period of removal; and

(ix) If removed from the student's regular school program **OR APPLICABLE DUAL ENROLLMENT PROGRAM**, the student's academic performance during the time period the student was removed, including attendance, grades, and standardized test scores, and any additional disciplinary actions.

(2) Each county board and public school shall provide the Department with any information necessary to issue its report in accordance with this section.

(k) If a student is removed or excluded from the student's regular school program **OR APPLICABLE DUAL ENROLLMENT PROGRAM** for a reportable offense, the principal or county superintendent shall invite the student's attorney, if the student has an attorney, to participate in the conference between the student or the student's parent or guardian and the principal or county superintendent, and the manifestation determination review, if applicable.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2026.