

# HOUSE BILL 1182

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6lr3525

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By: **Delegate McCaskill**

Introduced and read first time: February 11, 2026

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public and Nonpublic Schools – Student Elopement – Locative Devices**

3 FOR the purpose of authorizing certain public and nonpublic schools to coordinate a  
4 student's voluntary use of a certain locative device and monitor the student's location  
5 using the locative device for certain purposes and under certain circumstances;  
6 establishing certain privacy and data protections for information obtained through  
7 a student's voluntary use of a certain locative device; requiring the State Department  
8 of Education to issue certain advisory guidance to certain public and nonpublic  
9 schools; and generally relating to student wandering and elopement behavior.

10 BY repealing and reenacting, without amendments,  
11 Article – Education  
12 Section 7–11A–01 and 7–11A–02  
13 Annotated Code of Maryland  
14 (2025 Replacement Volume and 2025 Supplement)

15 BY repealing  
16 Article – Education  
17 Section 7–11A–03  
18 Annotated Code of Maryland  
19 (2025 Replacement Volume and 2025 Supplement)

20 BY adding to  
21 Article – Education  
22 Section 7–11A–03 and 7–11A–04  
23 Annotated Code of Maryland  
24 (2025 Replacement Volume and 2025 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Article – Education

7–11A–01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Behavior intervention plan” has the meaning stated in § 7–1101 of this title.

(c) “Elopement” means the act of a student leaving the school campus without the permission of a school staff member who has responsibility for the student.

(d) “IEP” means an individualized education program as defined under the federal Individuals with Disabilities Education Act.

(e) “Nonpublic school” has the meaning stated in § 7–1101 of this title.

(f) “School” means:

(1) A public elementary, middle, or high school;

(2) The Maryland School for the Blind;

(3) The Maryland School for the Deaf; and

(4) A nonpublic school.

(g) “School campus” means the buildings and grounds of a school, including a playground.

(h) (1) “Wandering” means the act of a student leaving a classroom or area on the school campus, but not leaving the school campus, without the permission of a school staff member who has responsibility for the student.

(2) “Wandering” does not include a student leaving a classroom or area on the school campus under a flash pass or another standing arrangement that has been approved by a school administrator.

7–11A–02.

(a) Each time a student attempts or accomplishes an elopement, the school shall notify the student’s parent or guardian of the elopement incident on the same day as the elopement incident.

(b) At least one time each year, a school or a student’s IEP team shall review and address with relevant stakeholders a student’s wandering or elopement behavior in updating the student’s IEP or behavior intervention plan.

1 [7-11A-03.

2 A school shall develop policies and procedures to implement the requirements of this  
3 subtitle.]

4 **7-11A-03.**

5 (A) IN THIS SECTION, "LOCATIVE DEVICE" MEANS A WEARABLE OR  
6 PORTABLE ELECTRONIC DEVICE THAT IS CAPABLE OF LOCATING A STUDENT  
7 DURING AN ELOPEMENT INCIDENT.

8 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A SCHOOL MAY  
9 COORDINATE A STUDENT'S VOLUNTARY USE OF A LOCATIVE DEVICE AND MONITOR  
10 THE STUDENT'S LOCATION USING THE LOCATIVE DEVICE ONLY IF:

11 (1) THE STUDENT HAS A DOCUMENTED HISTORY OF WANDERING OR  
12 ELOPEMENT BEHAVIOR IN THE STUDENT'S IEP OR BEHAVIOR INTERVENTION PLAN;  
13 AND

14 (2) THE STUDENT'S PARENT OR GUARDIAN PROVIDES INFORMED,  
15 WRITTEN CONSENT TO:

16 (i) THE STUDENT'S VOLUNTARY USE OF THE LOCATIVE  
17 DEVICE; AND

18 (ii) THE SCHOOL'S MONITORING OF THE STUDENT'S LOCATION  
19 USING THE LOCATIVE DEVICE.

20 (C) (1) A SCHOOL MAY MONITOR A STUDENT'S LOCATION USING A  
21 LOCATIVE DEVICE UNDER THIS SECTION ONLY FOR WANDERING OR ELOPEMENT  
22 BEHAVIOR.

23 (2) A SCHOOL SHALL:

24 (i) LIMIT INFORMATION OBTAINED THROUGH A STUDENT'S  
25 VOLUNTARY USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH THIS SECTION TO  
26 INFORMATION THAT IS REASONABLY NECESSARY TO ADDRESS OR RESPOND TO A  
27 STUDENT'S WANDERING OR ELOPEMENT BEHAVIOR; AND

28 (ii) MAINTAIN ANY INFORMATION OBTAINED THROUGH A  
29 STUDENT'S USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH APPLICABLE  
30 FEDERAL AND STATE EDUCATION PRIVACY LAWS.

1           **(3) INFORMATION OBTAINED THROUGH A STUDENT'S VOLUNTARY**  
2 **USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH THIS SECTION:**

3           **(I) MAY BE ACCESSED ONLY BY:**

4                   **1. PERSONNEL IDENTIFIED IN THE STUDENT'S IEP OR**  
5 **BEHAVIOR INTERVENTION PLAN; AND**

6                   **2. EMERGENCY RESPONSE PROVIDERS AS NECESSARY**  
7 **DURING AN ELOPEMENT INCIDENT;**

8           **(II) MAY NOT BE RETAINED FOR LONGER THAN NECESSARY TO**  
9 **ADDRESS OR RESPOND TO A STUDENT'S WANDERING OR ELOPEMENT BEHAVIOR OR**  
10 **AS REQUIRED BY LAW; AND**

11           **(III) SHALL BE PROTECTED BY EMPLOYING REASONABLE**  
12 **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS.**

13           **(D) (1) THE DEPARTMENT SHALL ISSUE ADVISORY GUIDANCE TO**  
14 **SCHOOLS ON:**

15                   **(I) INCORPORATING A STUDENT'S VOLUNTARY USE OF A**  
16 **LOCATIVE DEVICE IN ACCORDANCE WITH THIS SECTION IN THE STUDENT'S IEP OR**  
17 **BEHAVIOR INTERVENTION PLAN; AND**

18                   **(II) PRIVACY AND DATA PROTECTION CONSIDERATIONS**  
19 **ASSOCIATED WITH USE OF A LOCATIVE DEVICE.**

20           **(2) THE DEPARTMENT'S GUIDANCE UNDER THIS SUBSECTION SHALL**  
21 **GRANT A SCHOOL DISCRETION AS TO WHETHER AND HOW TO IMPLEMENT A**  
22 **STUDENT'S VOLUNTARY USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH THIS**  
23 **SECTION.**

24           **(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO:**

25                   **(1) REQUIRE A SCHOOL TO PROVIDE, PURCHASE, REIMBURSE,**  
26 **MANAGE, OR MONITOR A LOCATIVE DEVICE OR A RELATED SERVICE PLAN; OR**

27                   **(2) REQUIRE A PARENT, GUARDIAN, OR STUDENT TO PURCHASE OR**  
28 **USE A LOCATIVE DEVICE, INCLUDING AS A CONDITION OF ENROLLMENT IN A SCHOOL**  
29 **OR FOR THE PROVISION OF ANY SERVICE.**

30 **7-11A-04.**

1           **A SCHOOL:**

2                   **(1) SUBJECT TO ITEM (2) OF THIS SECTION, SHALL DEVELOP**  
3 **POLICIES AND PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THIS**  
4 **SUBTITLE; AND**

5                   **(2) MAY DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT THE**  
6 **REQUIREMENTS OF § 7-11A-03 OF THIS SUBTITLE.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2026.