

# HOUSE BILL 1182

F1

6lr3525

---

By: ~~Delegate McCaskill~~ **Delegates McCaskill, Ebersole, Feldmark, Griffith, Miller, Mireku-North, Palakovich Carr, Pasteur, Patterson, Wilkins, and Wims**

Introduced and read first time: February 11, 2026

Assigned to: Ways and Means

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2026

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

12 BY repealing and reenacting, without amendments,  
13 Article – Education  
14 Section 7-11A-01 ~~and 7-11A-02~~  
15 Annotated Code of Maryland  
16 (2025 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Education  
19 Section 7-11A-02  
20 Annotated Code of Maryland  
21 (2025 Replacement Volume and 2025 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing  
2 Article – Education  
3 Section 7–11A–03  
4 Annotated Code of Maryland  
5 (2025 Replacement Volume and 2025 Supplement)

6 BY adding to  
7 Article – Education  
8 Section 7–11A–03 ~~and 7–11A–04~~  
9 Annotated Code of Maryland  
10 (2025 Replacement Volume and 2025 Supplement)

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

13 **Article – Education**

14 7–11A–01.

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

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

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

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

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

22 (f) “School” means:

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

24 (2) The Maryland School for the Blind;

25 (3) The Maryland School for the Deaf; and

26 (4) A nonpublic school.

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

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

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

4 7-11A-02.

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

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

11 **(C) A SCHOOL SHALL DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT**  
12 **THE REQUIREMENTS OF THIS SECTION.**

13 [7-11A-03.

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

16 **7-11A-03.**

17 **(A) IN THIS SECTION, "LOCATIVE DEVICE" MEANS A WEARABLE OR**  
18 **PORTABLE ELECTRONIC DEVICE THAT IS CAPABLE OF LOCATING A STUDENT**  
19 **DURING AN ELOPEMENT INCIDENT.**

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

23 **(1) THE STUDENT HAS A DOCUMENTED HISTORY OF WANDERING OR**  
24 **ELOPEMENT BEHAVIOR IN THE STUDENT'S IEP ~~OR BEHAVIOR INTERVENTION PLAN;~~**  
25 **~~AND~~**

26 **(2) THE STUDENT'S PARENT OR GUARDIAN PROVIDES INFORMED,**  
27 **WRITTEN CONSENT TO:**

28 **(I) THE STUDENT'S VOLUNTARY USE OF THE LOCATIVE**  
29 **DEVICE; AND**

30 **(II) THE SCHOOL'S MONITORING OF THE STUDENT'S LOCATION**  
31 **USING THE LOCATIVE DEVICE; AND**

1           **(3) THE LOCATIVE DEVICE:**

2                   **(I) IS INCAPABLE OF MAKING AUDIO OR VIDEO RECORDINGS OF**  
3 **OTHER STUDENTS OR SCHOOL PERSONNEL; OR**

4                   **(II) HAS FEATURES CAPABLE OF AUDIO OR VIDEO RECORDING**  
5 **TURNED OFF WHEN THE STUDENT IS IN AN EDUCATIONAL SETTING.**

6           **(C) (1) A SCHOOL MAY MONITOR A STUDENT'S LOCATION USING A**  
7 **LOCATIVE DEVICE UNDER THIS SECTION ONLY FOR WANDERING OR ELOPEMENT**  
8 **BEHAVIOR.**

9                   **(2) A SCHOOL SHALL:**

10                   **(I) LIMIT INFORMATION OBTAINED THROUGH A STUDENT'S**  
11 **VOLUNTARY USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH THIS SECTION TO**  
12 **INFORMATION THAT IS REASONABLY NECESSARY TO ADDRESS OR RESPOND TO A**  
13 **STUDENT'S WANDERING OR ELOPEMENT BEHAVIOR; AND**

14                   **(II) MAINTAIN ANY INFORMATION OBTAINED THROUGH A**  
15 **STUDENT'S USE OF A LOCATIVE DEVICE IN ACCORDANCE WITH APPLICABLE**  
16 **FEDERAL AND STATE EDUCATION PRIVACY LAWS.**

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

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

20                           **1. PERSONNEL IDENTIFIED IN THE STUDENT'S IEP ~~OR~~**  
21 **~~BEHAVIOR INTERVENTION PLAN; AND~~**

22                           **2. EMERGENCY RESPONSE PROVIDERS AS NECESSARY**  
23 **DURING AN ELOPEMENT INCIDENT;**

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

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

29           **(D) (1) THE DEPARTMENT SHALL ISSUE ADVISORY GUIDANCE TO**  
30 **SCHOOLS ON:**

1 (I) INCORPORATING A STUDENT’S VOLUNTARY USE OF A  
2 LOCATIVE DEVICE IN ACCORDANCE WITH THIS SECTION IN THE STUDENT’S IEP ~~OR~~  
3 ~~BEHAVIOR INTERVENTION PLAN; AND~~

4 (II) PRIVACY AND DATA PROTECTION CONSIDERATIONS  
5 ASSOCIATED WITH USE OF A LOCATIVE DEVICE.

6 (2) THE DEPARTMENT’S GUIDANCE UNDER THIS SUBSECTION ~~SHALL:~~

7 (I) SHALL GRANT A SCHOOL DISCRETION AS TO WHETHER AND  
8 HOW TO IMPLEMENT A STUDENT’S VOLUNTARY USE OF A LOCATIVE DEVICE IN  
9 ACCORDANCE WITH THIS SECTION; AND

10 (II) MAY NOT BE CONSTRUED AS LEGAL ADVICE ABOUT THE  
11 FEDERAL ADMINISTRATION OF FEDERAL PRIVACY LAW.

12 (E) A SCHOOL MAY DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT  
13 THE REQUIREMENTS OF THIS SECTION.

14 (F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO:

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

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

20 ~~7-11A-04.~~

21 ~~A SCHOOL:~~

22 ~~(1) SUBJECT TO ITEM (2) OF THIS SECTION, SHALL DEVELOP~~  
23 ~~POLICIES AND PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THIS~~  
24 ~~SUBTITLE; AND~~

25 ~~(2) MAY DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT THE~~  
26 ~~REQUIREMENTS OF § 7-11A-03 OF THIS SUBTITLE.~~

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
28 1, 2026.