



# RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2025 Session  
HB0951

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## School Systems - Reportable Offenses - Alterations

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### Bill Summary

This bill generally alters statutory provisions that govern procedures related to “reportable offenses.” Among other provisions, the bill (1) expands the offenses that qualify as reportable offenses and (2) requires that a law enforcement agency notify the State’s Attorney when a student is a suspect in an investigation of an act that, if committed by an adult, would be a felony or crime of violence, as specified.

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### Racial Equity Impact Statement

Black students are disproportionately arrested for reportable offenses and also disproportionately subjected to suspensions and expulsions as compared to their peers. The bill will likely increase the volume of reportable offenses by adding new offenses and requiring dual-program institutions of higher education to receive and report under the reportable offenses statute. This may exacerbate existing disparities evident in reportable offense data reporting, but it is unclear whether increased reporting will result in increased disparities in school discipline. The bill also requires that law enforcement officers notify the State’s Attorney of a student who is a *suspect* in a specified violent crime, potentially resulting in a notification to school officials at the State’s Attorney’s discretion. While this requirement would benefit the overall public safety of students, the equity impacts in these cases would depend heavily on how the bill is implemented. More data regarding the offenses added to the bill, the number of suspects triggering the bill’s requirements, the length of any school program disruption as a result of a report, and the portion of students eventually arrested for the reported offense would be required to measure the actual impacts.

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## Analysis

Generally, the bill makes changes to the educational institutions covered by the reporting requirements, adds to the offenses for which an arrest triggers notifications, and expands reporting to include suspected offenders in specified violent crimes.

Under the bill, a “school system” means (1) the schools and school programs under the supervision of a local superintendent and (2) the institution of higher education or higher education program in which a student is enrolled as part of a dual enrollment program.

The following offenses are added to the list of reportable offenses in current law:

- sexual offense in the fourth degree;
- child pornography, if the victim does not have knowledge of or does not consent to the production or the distribution of the child pornography;
- visual surveillance with prurient intent;
- making a threat of mass violence;
- stalking;
- distributing revenge porn; and
- any other act that if committed by an adult would be a felony.

If a student is the suspect in an investigation of an act that if committed by an adult would be a felony or a crime of violence, the law enforcement agency conducting the investigation *must* notify the State’s Attorney within 24 hours of the student being identified as a suspect, as practicable. The State’s Attorney may notify the local superintendent within 24 hours of the notification, as practicable. If the law enforcement agency, after providing notice to the State’s Attorney, determines that the student is no longer a suspect, the law enforcement agency must notify the State’s Attorney that the student is no longer a suspect within 24 hours of making that determination. Similarly, if the State’s Attorney has notified the local superintendent of a student’s identification as a suspect, the State’s Attorney must notify the local superintendent that the student is no longer a suspect.

If the State’s Attorney determines that school officials have not been notified of a student’s arrest for a reportable offense (as required under current law), the State’s Attorney may notify the school officials.

### *Reportable Offenses*

Under existing law, a reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as specified in current law, and numerous other specified weapons, drug, assault, and theft related offenses. When a student is arrested for a reportable offense or an offense related to the student’s membership in a criminal organization, the law enforcement agency making the arrest must notify (1) the local superintendent; (2) the school principal; and (3) if appropriate, the school security officer. The law enforcement agency may also notify the State’s Attorney. In 2022, the General Assembly expressed concern about the purported misuse or overuse of school removals for students arrested

for a reportable offense. Chapter 742 of 2022 clarifies that a “reportable offense” as it relates to students in public or nonpublic schools is an offense that occurred off school premises and did not occur at an event sponsored by the school. The Act also requires that students accused of reportable offenses be disciplined according to existing State regulations and provides for additional due process accommodations by allowing a student accused of a reportable offense to have an attorney attend the conference between the student or parent and principal or county superintendent.

### *Dual Enrollment Programs*

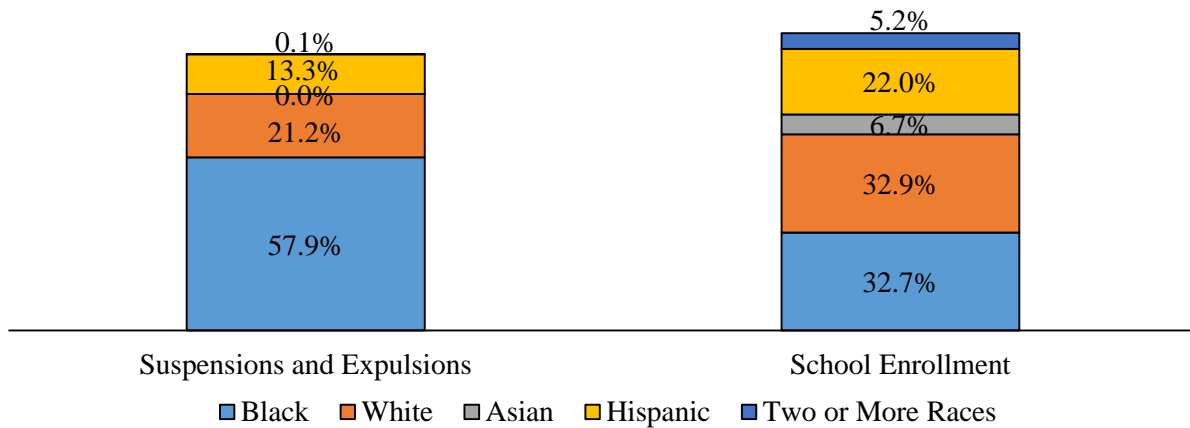
The bill broadens the definition of “school system” to include institutions and programs of higher education where a student is enrolled as part of a dual enrollment program. A “dually enrolled student” is a student enrolled in both (1) a secondary school in the State and (2) an institution of higher education in the State. The Maryland Longitudinal Data System Center (MLDS) defines “dual enrollment” as any program or opportunity that allows high school students to enroll in and take college courses. This includes programs in which students are enrolled in a dual enrollment course through a partnership agreement with their local school system and thereby receive both high school and college credit.

According to MLDS, 23,514 students – approximately 8.25% of all high school students – participated in dual enrollment programs in Maryland during the 2022-2023 school year.

### *Impacts of the Bill*

Maryland State Department of Education data shows that Black students are overrepresented in both school disciplinary activity as well as arrests for reportable offenses. **Exhibit 1** shows out-of-school suspensions and expulsions by race and ethnicity for the 2022-2023 school year compared to each group’s share of the State’s public school enrollment during that year. Black students make up the largest share of out-of-school suspensions and expulsions at 58% despite making up only 33% of students.

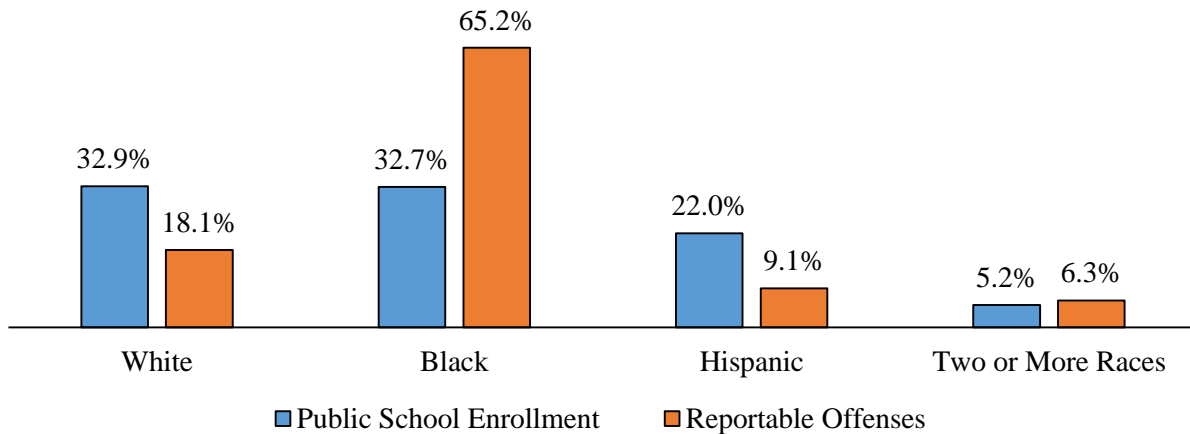
**Exhibit 1**  
**Out-of-school Suspensions and Expulsions for Major Offenses**  
**Compared to School Enrollment**  
**2022-2023 School Year**



Source: Maryland Department of Education

**Exhibit 2** shows the racial and ethnic breakdowns for reportable offenses compared to each group’s share of public school enrollment during the 2022-2023 school year. Of the 986 reported incidents, 65% involved Black students, 18% were white, 9% were Hispanic, and 6% involved students of two or more races. Asian, American Indian or Alaskan Natives, and Native Hawaiian/Pacific Islanders accounted for less than 2% of the total.

**Exhibit 2**  
**Reportable Offenses and Public School Enrollment**  
**by Race and Ethnicity**  
**2022-2023 School Year**



Source: Maryland State Department of Education

Local school boards are required to adopt regulations designed to maintain an atmosphere of order and discipline within schools necessary for effective learning. Current law requires that the primary purpose of any disciplinary measure be rehabilitative, restorative, and educational. State regulations limit the circumstances under which a student arrested for a reportable offense, which includes most violent crimes, can be removed from regular school programming to cases in which the student presents an imminent threat of serious harm to other students or staff.

The bill's changes to reportable offense notification requirements, covered educational institutions, and the offenses that must be reported all have the propensity to increase the overall number of reports under the reportable offense law. Black students would likely be affected to the greatest extent due to existing disparities in school discipline and arrests for reportable offenses.

Requiring law enforcement to notify the State's Attorney prior to an arrest for select students is likely to have the greatest impact on individual students since, in some cases, a student's regular educational programming may be disrupted pending a possible arrest. However, it is unclear whether the increased reporting activity would exacerbate existing disparities in discipline for students arrested for reportable offenses because a school must follow the same disciplinary procedures as it does with all other students and removal from regular school programming is limited to those students that present an imminent danger.

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## Conclusion

The bill's addition of offenses under the reportable offenses reporting law will likely increase the volume of reporting and amplify existing disparities in reportable offense data, particularly for Black students who already account for a disproportionate number of reportable offense arrests.

Additional offense specific data is not readily available to determine the magnitude of this impact and the extent to which it results in negative disciplinary outcomes for Black students.

The bill's expansion of reportable offense reporting to dual-program institutions and additional notification requirements for students who are suspects in specified violent crimes will likely have a positive public safety impact since no current mechanism allows law enforcement to notify school officials of a juvenile attending their school that is a suspect, but who has not been officially charged. The bill's overall impacts on racial equity will depend on the extent to which the discretionary aspects of the bill are carried out by law enforcement, the State's Attorney, and school officials.

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**Information Sources:** Maryland State Department of Education; Maryland Longitudinal Data System Center; Department of Legislative Services

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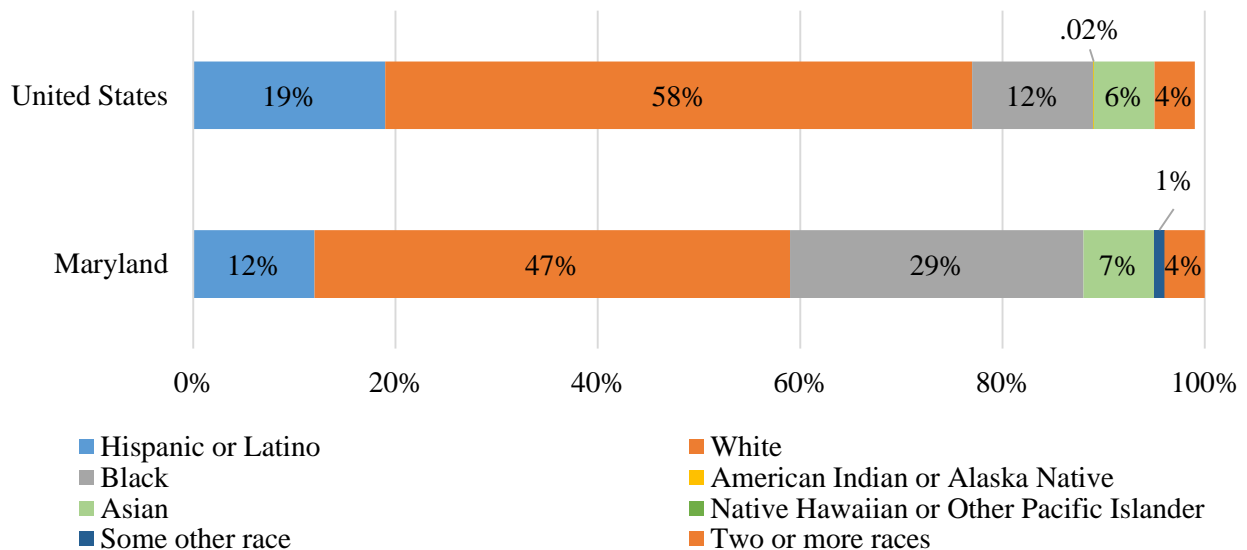
## Appendix – Maryland Demographics

### *Race and Ethnicity of the Maryland Population*

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.

**Exhibit 1**  
**U.S. and Maryland Population by Race and Ethnicity**  
**2020**



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.