



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND • GENERAL • ASSEMBLY

2026 Session
HB0123

School Systems - Reportable Offenses - Alterations

Bill Summary

This bill expands the offenses that qualify as reportable offenses and makes changes to related reporting requirements. 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.

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, but it is unclear whether increased reporting will result in increased disparities in school discipline. More data regarding the offenses added to the bill, and the length of any school program disruptions resulting from the additional reports, would be required to measure the actual impacts.

Analysis

Generally, the bill makes changes to the educational institutions covered by the reporting requirements and adds to the offenses for which an arrest triggers notifications.

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.

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.

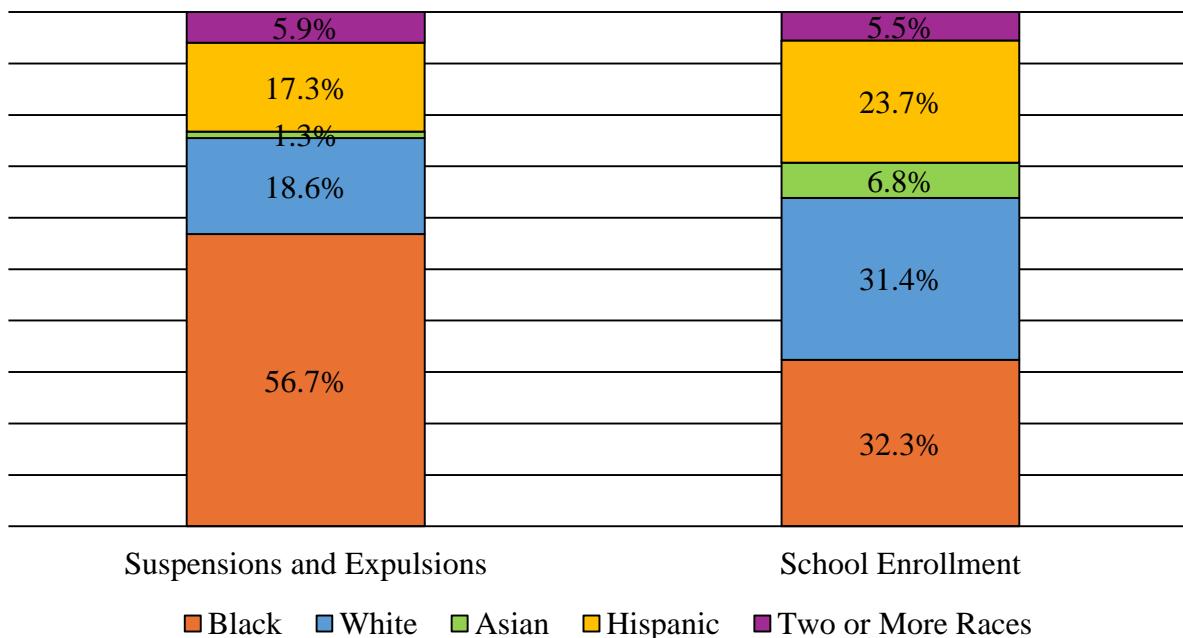
Dual Enrollment Programs

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. 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, 10.2% of all high school students participated in dual enrollment programs in Maryland during the 2023-2024 school year.

Impacts of the Bill

Maryland State Department of Education (MSDE) 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 2024-2025 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 57% despite making up only 32% of total students.

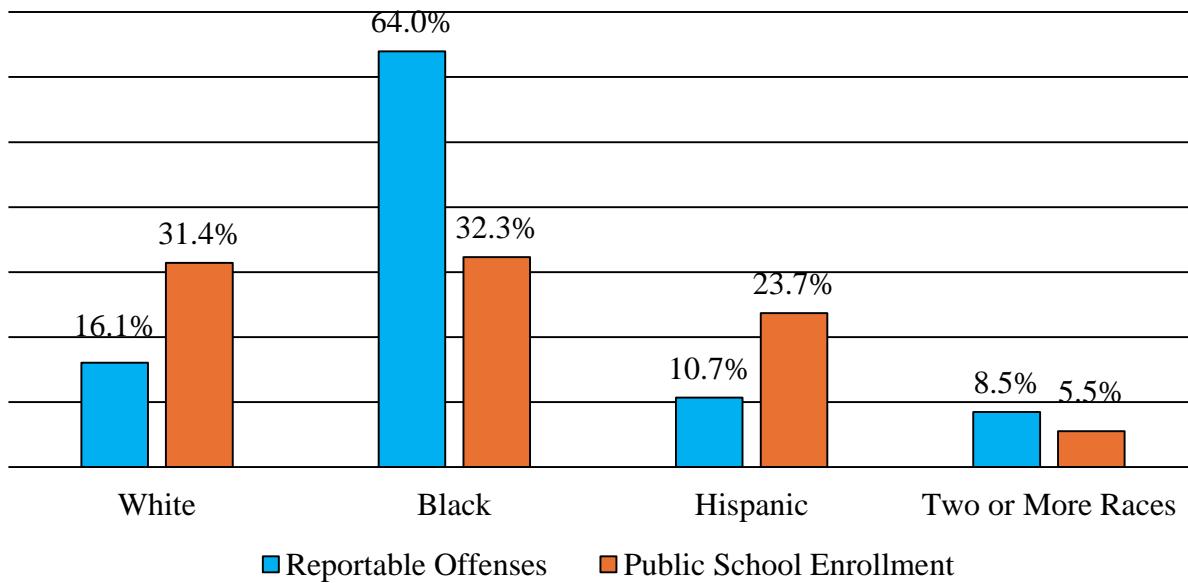
Exhibit 1
Out-of-school Suspensions and Expulsions for Major Offenses
Compared to School Enrollment
2024-2025 School Year



Source: Maryland State Department of Education

Exhibit 2 shows the racial and ethnic breakdowns for reportable offense incidents compared to each group's share of public school enrollment as of September 30, 2025. Of the 1,488 reported incidents, 64% involved Black students, 16% were white, 11% were Hispanic, and almost 9% 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 School Enrollment
by Race and Ethnicity
2024-2025 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.

Conclusion

The bill's addition of offenses under the reportable offenses 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. Absent additional offense-specific and outcome data, the extent to which increased reporting translates into changes in school discipline practices cannot be determined. Future analysis would benefit from data on the disposition of reportable offense incidents, including whether reported incidents result in removals from regular school programming and the duration of any such removals.

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

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Appendix – Maryland Demographics

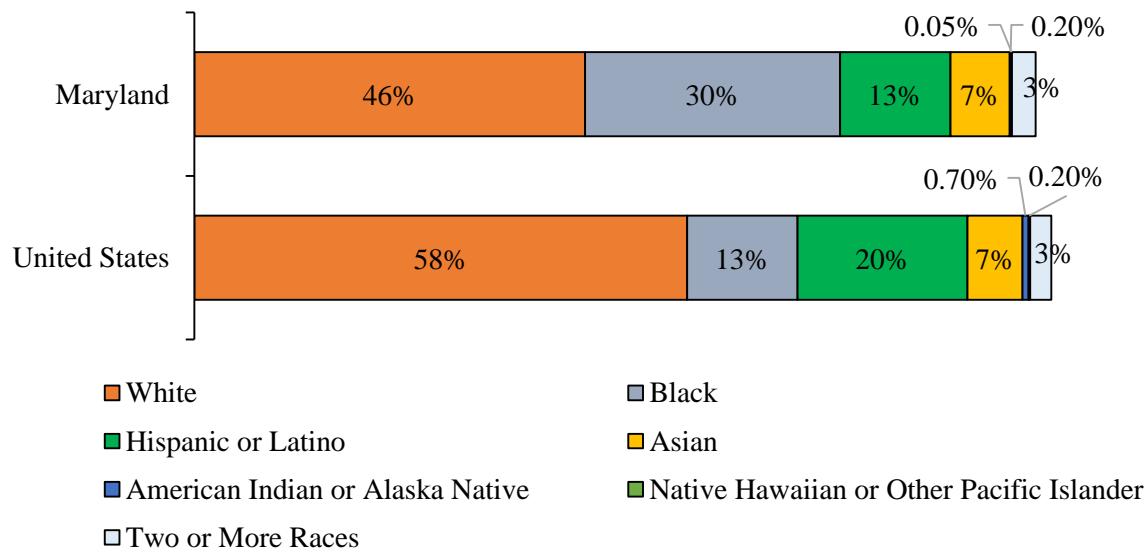
Race and Ethnicity of the Maryland Population

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. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau's [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State's population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

Methodology Update

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau's Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

U.S. and Maryland Population by Race and Ethnicity 2024 Population Estimates



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau