



HB146 EDUCATION – REPORTABLE OFFENSES AND STUDENT DISCIPLINE – ALTERATIONS

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EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB146 Education – Reportable Offenses and Student Discipline – Alterations**.

The single most important strategic goal of the Board of Education of Anne Arundel County is to ensure that every student meets or exceeds standards as achievement gaps are eliminated. As such, AACPS believes that specific emphasis should be on increasing the participation of all students, including our students who have been charged with reportable offenses. At the same time, safety in public schools remains increasingly important to local boards of education as the number of school-related security incidents and threats in Maryland and throughout the nation have risen over the years. Ultimately, school systems must strike a balance between the educational rights of all students, including students charged with a reportable offense, and the school system's responsibility to educate all students in a safe environment that is conducive to learning.

A fundamental requirement for openness and responsiveness is an ability to effectively communicate with stakeholders in a comprehensive and holistic fashion. This proposed legislation is a dramatic step back from the 2010 revisions made in Maryland law that were specifically designed to facilitate increased stakeholder collaboration and allow for enhanced educational programming for students charged with a reportable offense.

AACPS appreciates amendments to the bill which retain the definition of reportable offense as currently defined in statute. However, the district still has concerns with several provisions in the legislation.

AACPS is concerned with references to discipline throughout the bill. It is important to understand that a removal for a reportable offense is a non-disciplinary removal and should remain as such. Accordingly, references to discipline should be stricken from the bill. There are also several references to a student's attorney. Such references in the legislation limit an administrator's ability to meet with a student or a student's parent(s)/guardian(s) unless an attorney is present. It is important to understand that schools do not receive attorney information and this requirement can become time consuming and negatively impact school operations.

Further, AACPS has concerns with the limitations placed on when a student may be removed from a school even if an alleged victim is in the school. More specifically, the provision in the bill which would allow a student with a disability to return to regular school program the student attended before the removal period poses many issues. This could be problematic and create safety issues for the alleged victim. Additionally, this provision could violate State law the General Assembly recently passed which prohibits a registered student sex offender from being on school property.

It is important to note the local school systems are already required to report to MSDE regarding student arrests. Accordingly, there is no need for the Section 2 reporting requirements amended onto the bill. In fact, there is an *MSDE Student Arrests Data Collection Manual* which guides local school systems on reporting student arrests. Here again, the reference to discipline in this section is also inappropriate. In accordance with existing MSDE regulations, which have the force of law, a student cannot be disciplined as a result of a reportable offense.

In sum, HB146 would significantly and unacceptably reduce the communications abilities between allied stakeholders when events occur outside of the school but have the potential to catastrophically impact school operations. Specifications in the bill that impose administrative hurdles to implementation of the safety strategies necessary create an onerous and unsafe burden upon local school systems.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB146.