



HB146 EDUCATION – REPORTABLE OFFENSES AND STUDENT DISCIPLINE – ALTERATIONS

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WAYS AND MEANS COMMITTEE

OPPOSE

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Anne Arundel County Public Schools (AACPS) opposes **HB146 Education – Reportable Offenses and Student Discipline – Alterations**. This bill alters the definition of "reportable offense" to involve only offenses that occurred off school premises, that did not occur at events sponsored by the school, and that involved certain crimes of violence. The bill also repeals a requirement that a law enforcement agency notify certain individuals if a student was arrested for a reportable offense and authorizes the State's Attorney to notify certain individuals about a reportable offense only if a student is adjudicated delinquent or convicted of the offense.

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.

Safety in public schools is increasingly important to local boards of education as school-related security incidents and threats in Maryland and throughout the nation have increased over the years. As a result, it is essential for educational leaders to be included in the continued development of a comprehensive security plan. AACPS believes that the pursuit of a safe school environment must be tempered by a balanced emphasis on the protection of individual student rights.

There is concern with amending the entire reportable offense statute to trigger certain reporting requirements only if a student is "**ADJUDICATED DELINQUENT OR CONVICTED OF**" a reportable offense. Such a significant change regarding when and for what information may be shared amongst law enforcement, the state's attorney and a school system raises serious school safety concerns.

We also have concerns 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, we have concerns with the limitations placed on when a student may be removed from a school even if an alleged victim is in the school. This could be problematic and create safety issues for the alleged victim.

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.