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# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

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## JUDICIARY COMMITTEE HOUSE BILL 203: EDUCATION-REPORTING ARRESTS OF STUDENTS-ALTERATIONS

February 2, 2023

### POSITION: Oppose

The Maryland Coalition to Reform School Discipline (CRSD) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland's public school systems. We are committed to making discipline responsive to students' behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. **CRSD opposes House Bill 203, which would expand reporting of reportable offenses and confidential student information to the Maryland Center for School Safety and the State Board.**

Under current law, school districts routinely and unilaterally remove students from school for indefinite periods of time when students are arrested off school grounds for conduct unrelated to school. These alleged reportable offenses may have no nexus to the child's school or educational needs. Present law requires that a mere arrest trigger reporting to the school district, rather than only those cases that are in fact petitioned by a State's Attorney. Currently approximately 60% of all arrests and cases are resolved by the Department of Juvenile Services without any petition, either due to the case requiring no further action or a child successfully completing services through an informal adjustment.

The current reportable offense statute casts too great a net, and there is no reason that confidential information regarding offenses that happen off school grounds needs to be further disseminated to the Maryland Center for School Safety and the State Board. Concerns about expanding dissemination and reporting of this confidential information are heightened because, under current law, there is no time limit for the sharing of reportable offense information if a child moves between school districts. The information is to be shared until the child graduates or otherwise permanently leaves school or turns 22 years old, whichever occurs first. The sharing of confidential, reportable offense information, even after the child is no longer under the supervision of the juvenile justice or criminal justice court, can adversely impact the student's education and perpetuate stigma.

Current law already allows for the local superintendent, school principal, school security officer and the state's attorney to be notified of the off school-ground reportable offense. There is no compelling need to further invade student privacy and expand sharing of this confidential information to the Maryland Center for School Safety and State Board.

**For these reasons, CRSD opposes House Bill 203.**

For more information contact:

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**CRSD Members**

ACLU of Maryland  
Alliance Against Seclusion and Restraint  
The Choice Program at UMBC  
Community Law in Action  
Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC)  
Disability Rights Maryland  
Maryland Office of the Public Defender  
Public Justice Center  
Project HEAL at the Kennedy Krieger Institute  
League of Women Voters Maryland  
Youth, Education, and Justice Clinic, University of Maryland Carey School of Law  
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