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**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Education, Energy, and the Environment Committee
March 27, 2025**

HB1265: INFORMATIONAL ONLY

Education - Reportable Offenses and Prohibited Behavior on School Grounds - Alterations

The Board of Education of Howard County (the Board) would like to provide this Committee information regarding reportable offenses as you consider **Education - Reportable Offenses and Prohibited Behavior on School Grounds - Alterations**. The Board also offers amendments related to **HB0627 Education - Prohibited Behavior on School Grounds and Property – Application** which has been incorporated into this bill.

Currently, under Education Article § 7-303, student arrests are reported to the local superintendent, school principal, and School Resource Officer (SRO) if applicable as reportable offenses. Reportable offense reports are used to provide appropriate educational programming and related services to the student while maintaining a safe and secure school environment for students and school personnel. Ultimately, this process results in a case-by-case determination on whether they should remain in their current school environment, should have their regular school program altered, or the student should be removed from their regular school program.

Following the [arrest of a Howard High School student](#) subsequent discussions resulted statewide on the topic of reportable offense reporting. The Maryland State Board of Education (MSBE) honored a request from members of the Howard County Delegation and [adopted an emergency regulation on October 22, 2024](#), to amend COMAR 13A.08.01.17F *Confidentiality of Information and Retention of Documents* soon after the events in Howard County. Specifically, this change shifted a “may” to “shall” regarding sharing information when a student with a known reportable offense transfers between school districts in Maryland. The State Superintendent of Schools along with MSBE also [testified before](#) the Joint Committee on Administrative, Executive, and Legislative Review (AELR) in early December to discuss the emergency regulation where potential areas of the reportable offense statute that [might be fixed via legislation](#) were discussed.

Beyond inter-county sharing, Howard County Public School System (HCPSS) staff have also reviewed Education Article § 7-303 to look for ways to address gaps in communication for potential improvements in the current law. To be clear, the need for additional communication between agencies is not with the intent of being punitive towards students. School systems must remain vigilant in appropriately considering the information shared, with confidentiality, and in a manner that balances the pursuit of a safe environment with protecting individual student rights.

Based on the internal review by staff, the Board adopted a Legislative Priority on reportable offenses along with the following proposed amendments to Education Article § 7-303 within three focus areas:

- Express the need for law enforcement to share reportable offense information expeditiously, and with greater detail to the extent it would help the school system make a placement determination
 - Recommended amendment under § 7-303 (b):
 - (1) Shall notify the following individuals of the arrest [and the charges] within 24 hours of the arrest **AND PROVIDE THE ARREST REPORT OR A**

DESCRIPTION WITH DETAILS PERTINENT TO SCHOOL SAFETY TO INCLUDE WHETHER ANY VICTIMS WERE STUDENTS AND THE TYPE OF WEAPON INVOLVED IF APPLICABLE. CHARGES SHOULD THEN BE PROVIDED [or] as soon as practicable:

- Create a support system at the State level that would facilitate locating enrollment when reports are received for a non-local student
 - Recommended addition under § 7-303:
 - **(D) IF A LOCAL SUPERINTENDENT OR SCHOOL PRINCIPAL RECEIVES A REPORT UNDER SUBSECTION (B) FOR A STUDENT THAT IS NOT CURRENTLY ENROLLED IN THAT COUNTY, THE LOCAL SUPERINTENDENT SHALL PROMPTLY NOTIFY THE SUPERINTENDENT OF THE STATE DEPARTMENT OF EDUCATION TO FACILITATE LOCATING THE SCHOOL OR JURISDICTION OF ATTENDANCE. ONCE LOCATED, THE LOCAL SUPERINTENDENT WHO RECEIVED THE REPORT SHALL TRANSFER THE INFORMATION PURSUANT TO SUBSECTION (E).**
- Require the Department of Juvenile Services to share reportable offense information in the same manner law enforcement does
 - Recommended addition under § 7-303:
 - **(G) FOR A STUDENT UNDER THE CUSTODY OR SUPERVISION OF THE DEPARTMENT OF JUVENILE SERVICES, THE DEPARTMENT SHALL NOTIFY THE LOCAL SUPERINTENDENT AND THE SCHOOL PRINCIPAL OF A SCHOOL IN WHICH THE STUDENT IS ENROLLED OR TO WHICH THE STUDENT HAS BEEN TRANSFERRED OF THE STUDENT'S REPORTABLE OFFENSE OR OFFENSE THAT IS RELATED TO THE STUDENT'S MEMBERSHIP IN A CRIMINAL ORGANIZATION, THE DISPOSITION OF THE REPORTABLE OFFENSE, AND THE LAW ENFORCEMENT REPORT OR A DESCRIPTION OF THE OFFENSE INCLUDING DETAILS PERTINENT TO SCHOOL SAFETY TO INCLUDE WHETHER ANY VICTIMS WERE STUDENTS AND THE TYPE OF WEAPON INVOLVED IF APPLICABLE.**

With its passage by the House, the amended section (e)(2) starting on page 2 in line 11 of HB1265 moves towards addressing the last recommendation above. One difference would be the inclusion of “or supervision” to ensure the law covers instances of students who come into a Maryland school from outside the state, where supervision has been transferred to the Department of Juvenile Services.

Although our staff and Board have put the above forward, we also understand we are not the only voices interested in changes to this process. Other local school systems, the Maryland State Department of Education, law enforcement agencies, the Maryland Department of Juvenile Services, and advocates alike may have ideas that would enhance the reportable offense process. The workgroup proposed under HB1265 would go a long way in addressing other operational matters identified, including those in our recommended language above for timeliness and contents of reports to local school systems, as well as facilitation in locating students when reports are received for a non-local student. Now is the time to bring those stakeholders.

With the inclusion of language from **HB0627 Education - Prohibited Behavior on School Grounds and Property – Application** within the amendments to HB1265, we also offer the following from our FAVORABLE WITH AMENDMENTS position on HB0627:

Over the past several years of deliberation on HB0627, various iterations have attempted to hone in on the intent to remove current students from the application of the law in order to decriminalize what can otherwise be handled via student discipline – essentially aimed at reducing the school-to-prison pipeline. To that end, the current version of the bill maintains a prohibition on willful disturbances at schools with exclusions specifically for a student currently attending the institution of elementary, secondary, or higher education where the offense occurs or a student currently attending another institution of elementary, secondary, or higher education who is participating in or attending a sporting event or other extracurricular program sponsored by the institution where the offense occurs.

While the Board supports the intent of HB0627, it should stop short at including only the first exclusionary provision that would achieve the stated purpose of the sponsor, while leaving this important safety and security law in place for use when other individuals disrupt the school environment. Specifically, if a student has been excluded from their school for disciplinary purposes or does not attend the school all-together this statute is the only additional measure school systems have to deter the student from entering the school grounds. Moreover, the feasibility of applying the second provision is questionable as it is often unknown if an individual (who is not a known student of that school) is a student in another jurisdiction or private school. The second exclusion also does not distinguish between grade levels, therefore if a student of a higher education institution commits a disruptive event on elementary, middle, or high school grounds as an adult the bill would waive criminal penalties even if they have no connection to the school where the offense occurred.

Therefore, section (a)(2) in lines 27-30 on page 7 of the amended HB1265 should be removed.

Thank you for the opportunity to provide information on HB1265.