

# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

## Education, Energy, and the Environment

### Senate Bill 386 - Primary and Secondary Education - Definition and Notification of Reportable Offense - Alterations

February 12, 2025

#### 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. For over a decade, we have been 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 Senate Bill 386** which seeks to change the definition of "reportable offense" in Maryland Code, Education Article, § 7-303 and to require the Department of Juvenile Services (DJS) to report information on charges that are not formalized.

During the 2022 Legislative Session, the General Assembly passed HB 146 in response to concerns that school systems were unnecessarily excluding students based on community-based charges with little oversight or accountability. At that time, in addition to adding due process protections for students, the legislature made clear that the definition of a reportable offense means that the behavior occurred off school premises and did not occur at a school event. Based on the legislation, the Maryland State Board of Education issued regulations in July 2024 and recently adopted an additional regulation regarding the sharing of information between districts. Senate Bill 386 seeks to undo recent legislative action without consideration of the fact that the school discipline regulations and the discipline code govern a student's behavior in-school or at a school sponsored event. Under the school discipline laws and regulations, school systems already have the authority to remove the students who pose an imminent safety risk through suspension or expulsion based on school-based conduct. Thus, SB 386's proposed broader definition of reportable offense does not fill a void or address a need. Rather, it seeks to undo the purpose of the reportable offense statute which is to ensure that school systems are aware of arrests involving serious offenses in the community and that they have the opportunity to evaluate whether any safety threats exist. The purpose of the reportable offense statute is to address the very narrow issue of community-based offenses and broadening its scope to include school-based conduct is not warranted and would create unnecessary confusion.

CRSD is also concerned about the provision in SB 386 which would require DJS to report what

happens at the DJS intake process if the case is proposed for an “informal adjustment” or if a petition on the charge is denied. As written, it is difficult to understand the implications of this information sharing or its impact on the student’s placement. CRSD has long held that students whose charge is pending and are in the community with no safety issues identified by the juvenile court, should generally be permitted to remain in their regular school program.

**For these reasons, CRSD opposes SB 386.**

For more information contact:

[CRSDMaryland@gmail.com](mailto:CRSDMaryland@gmail.com)

**CRSD Members**

The Choice Program at UMBC

Progressive Maryland

League of Women Voters of Maryland

Maryland Office of the Public Defender

Spencer M. Hall, Esq.

Disability Rights Maryland

ACLU of Maryland

Public Justice Center

Project HEAL at Kennedy Krieger Institute

Sayra and Neil Meyerhoff Center for Families, Children and the Courts at the University of Baltimore

School of Law

Strong Schools Maryland