

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

HOUSE WAYS AND MEANS COMMITTEE

HOUSE BILL 1211: EDUCATION - REPORTING ARRESTS OF STUDENTS - ALTERATIONS

March 5, 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. 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 1211, which would expand reporting of reportable offense arrests and confidential student information to the Maryland Center for School Safety (MCSS), the Juvenile Services Education Program (JSEP) and the State Board of Education (SBE).**

Under current law, Md. Code, Educ. § 7-303, which was amended in 2022, law enforcement is required to inform school districts (local superintendent, school principal, and school security officer) if a student has been arrested in the community for one of the over 60 offenses set forth in the statute so that the school team can assess safety and determine whether there is a need to remove the student from school.¹ Current law requires that a mere arrest triggers reporting to a school district, regardless of whether the case is in fact petitioned by a State's Attorney. With close to 60% of all arrests and cases resolved by the Department of Juvenile Services without any petition filed either due to the case requiring no further action or a child successfully completing services through an informal adjustment, the current reportable offense statute already casts a wide net and there is no reason that confidential information regarding offenses

¹ Under Md. Code, Educ. § 7-305(h), the school discipline provisions apply to removals arising out of a reportable offense under Section 7-303.

that happen off school grounds needs to be further disseminated to the MCSS, JSEP and SBE.² Concerns about expanding dissemination and reporting of this confidential information are heightened because under current law and this bill, there is no time limit for the sharing of reportable offense information. The information can be shared until the child graduates or otherwise permanently leaves school or turns 22 years old, whichever occurs first, even after the child is no longer under the supervision of the juvenile justice or criminal justice court. HB 1211 provides no explanation or justification as to why an expansion is necessary and this Committee has declined to pass this same bill for many years now.

HB 1211 is further unnecessary because under the 2022 legislation, MSDE is already required to collect comprehensive data regarding reportable offenses which has to be provided to the Governor and General Assembly on or before December 30 of each year. Notification of and response to a reportable offense has been specifically and wisely left to local school boards who are in the best position to evaluate the impact, if one exists, of a reportable offense on its school community and to take the requisite action. Providing individual names of reportable offense students to the MCSS and SBE serves no additional function because the entities cannot act on an individual student level and can access the aggregate reportable offense data collected by MSDE. The inclusion of JSEP in this bill is especially perplexing because JSEP provides education to youth detained or committed for placement in Department of Juvenile Services facilities. It is unnecessary for JSEP to be notified of *all* reportable offenses because the majority of students, whose cases are resolved informally by DJS, never spend time in a DJS facility or receive education from JSEP. JSEP doesn't need the information and its inclusion in this bill is unjustified.

As there is no compelling need to further invade student privacy and expand sharing of this confidential information to the MCSS, JSEP or SBE, the Coalition to Reform School Discipline urges the Committee to issue an unfavorable report.

For these reasons, CRSD opposes House Bill 1211.

For more information contact:

Megan Berger
Legal Director, Disability Rights Maryland
443-692-2504

Megan.Berger@disabilityrightsmd.org
CRSDMaryland@gmail.com

CRSD Members

Disability Rights Maryland

² See Department of Juvenile Services Data Resource Guide, Fiscal Year 2024, available at djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2024.pdf

League of Women Voters of Maryland

Maryland Office of the Public Defender

Project HEAL at Kennedy Krieger Institute

The Choice Program at UMBC

Progressive Maryland

Public Justice Center

Sayra and Neil Meyerhoff Center for Families, Children and the Court at University of Baltimore, School of Law