

Education Advocacy Coalition

for Students with Disabilities

WAYS AND MEANS COMMITTEE

HOUSE BILL 1204

Public and Nonpublic Schools—Student Elopement—Notice and Reporting Requirements

March 5, 2025

POSITION: SUPPORT WITH AMENDMENTS

The Education Advocacy Coalition for Students with Disabilities (EAC) is a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland. The EAC appreciates the intent of House Bill 1204, which would impose notice and reporting requirements on schools when students elope from their school buildings, and supports the bill with amendments to ensure that all students who elope are covered by the protections of the bill and to ensure that parents receive same-day notice if their child successfully exits the school building.

EAC members represent or work with many students whose disabilities may, for a variety of reasons, impel them to elope, sometimes with fatal consequences. Some students have disappeared for hours and been located miles from their schools; others have been found in nearby bodies of water or sometimes in their school parking lot with traffic coming and going. Many schools are located on or near busy streets. For any student who elopes, the Individualized Education Program (IEP) and the Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) processes offer proactive ways of addressing the behavior. House Bill 1204 would require notification to parents within 24 hours if their child elopes but the notice is not required if the student has an IEP or BIP that addresses wandering or eloping behavior.

But for students who have IEPs or BIPs, notice is especially important, as elopement may signal that the IEP is not appropriate or that the strategies outlined in the BIP are not working and need to be changed. Additionally, if a child successfully leaves the school building, their parents should be notified that day, not 24 hours later, so they can take appropriate steps to ensure that their child is safe after school and during the evening. Therefore, the EAC proposes that the bill be amended to remove the reference to 24 hour notice and substitute same day notice, and to eliminate subsection B as follows:

Page 2, lines 22-30:

- (A) ~~[EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,]~~ EACH TIME A STUDENT ATTEMPTS OR ACCOMPLISHES AN ELOPEMENT, THE SCHOOL SHALL NOTIFY THE STUDENT'S PARENT OR GUARDIAN ~~[WITHIN 24 HOURS]~~ **THE SAME DAY** OF THE ELOPEMENT INCIDENT.

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~~[(B)(1) A SCHOOL IS NOT REQUIRED TO PROVIDE THE NOTICE UNDER SUBSECTION (A) OF THIS SUBSECTION TO THE PARENT OR GUARDIAN OF A STUDENT WHO HAS AN IEP OR A BEHAVIOR INTERVENTION PLAN THAT INCLUDES MEASURES FOR RESPONDING TO AN INCIDENT OF WANDERING OR ELOPEMENT BEHAVIOR BY THE STUDENT.]~~ —

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Respectfully submitted,

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