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House Ways and Means Committee

March 5, 2025

HB 1204: Public and Nonpublic Schools- Student Elopement- Notice and Reporting Requirements

Position: Support with Amendments

The Arc Maryland is the largest statewide advocacy organization dedicated to protecting and advancing the rights and quality of life of people with intellectual and developmental disabilities. We were started in the 1950s by parents who sought a better life for their children with developmental disabilities, and since that time, our network in Maryland has grown to several chapters of The Arc who provide direct services and supports to over 8,000 people with IDD and thousands more individuals who do not access our network's provider-supported services, but rely on The Arc for free information and referral services, advice, guidance, and advocacy support and training.

HB 1204 would impose notice and reporting requirements on schools when students elope from their school buildings and campuses. We appreciate the Sponsors' acknowledgment that this notification to families must be provided the same day as the incident of a child eloping.

The Arc Maryland has heard from many families who have loved ones who have wandering behaviors; many with Autism, but some with other intellectual and developmental disabilities. Some of the stories are incredible; of children managing to leave school without the school noticing and children getting a mile or more away before it is noticed they are gone. There have children who have eloped from school, and with the assistance of trackers, have been safely returned to school by their parents. Note: while trackers, for some families, are invaluable, they do not **prevent** a child from eloping. There are behavioral interventions that may be useful to support children with wandering behaviors, but they are only useful when we know the behavior exists and can employ student supports. This was not the case with young Miles M. (Charles County) whose family discovered the extent of his wandering behavior only after he wandered away from his house and was found in a body of water a short time later. Had they been informed earlier that he had eloped several times from school prior to this tragedy, they might have had opportunity to change the outcome of his story.



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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 elopement behavior.

Under HB 1204 notification of parents is a requirement, within 24 hours of an incident, but the notice is not required if the student has an IEP or BIP that addresses wandering or eloping behavior.

We support our advocacy partners in proposing that the bill be amended to remove the reference to 24-hour notice and substitute **same day notice**, and to **eliminate subsection B**.

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.

Strike:

[(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.]

We appreciate the Sponsor for taking such an incredible interest in this issue and urge a favorable report from the committee.

Sincerely,
Ande Kolp, Executive Director
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