

TO: House Committee on Ways and Means

BILL: HOUSE BILL 1265 - Juveniles – Arrests for Reportable Offenses

DATE: March 05, 2025

POSITION: Information

The Maryland State Department of Education (MSDE) provides this information regarding **House Bill (HB) 1265 – Juveniles – Arrests for Reportable Offenses.**

HB 1265 Summary

HB 1265 requires MSDE and the Department of Juvenile Services (DJS), in consultation with the Maryland State’s Attorneys’ Association, the Juvenile Services Education Program (JSEP), the Maryland Chiefs of Police Association, and the Maryland Sheriffs’ Association, to develop an operational protocol to guide the transmission of reportable offenses information from law enforcement to the schools, and from the schools/Juvenile Services Education Program (JSEP) to a school which a student with a pending reportable offense charge or who has been convicted or adjudicated delinquent of the reportable offense enrolls in or is transferred to.

Current law requires law enforcement agencies to notify the local superintendent, the school principal, and the school security officer, for schools that have a school security officer, of the arrest and charges, for cases of students alleged to have committed a reportable offense, as defined in statute. Currently, If the State’s Attorney has been notified by law enforcement, the State’s Attorney must notify the local superintendent or the school principal of the disposition of a case of a student charged with a reportable offense. HB 1265 adds that the State’s Attorneys must notify the local superintendent, the school principal, and the school security officer, for schools that have a school security officer.

HB 1265 adds a requirement that the local superintendent, school principal, and the superintendent of the Juvenile Services Education Program (JSEP) must transmit information about a reportable offense and its disposition to the local superintendent of a school in which the student charged with a reportable offense has enrolled. HB 1265 adds reporting responsibility to the JSEP superintendent or designee for students in one of its facilities. HB 1265, however, does not address the transmittal of information regarding a student with a reportable offense who has been court ordered to an out of state residential facility and returns to a public or private school in Maryland. JSEP may not have this information and thus would not be able to share with the receiving school.

JSEP provides educational services to students under the supervision of DJS in Maryland residential facilities.

MSDE Information

Background:

The Maryland State Department of Education has been collecting and reporting reportable offenses data since this requirement was introduced by statute in 2022. MSDE was responsible for promulgating regulations

related to reportable offenses and providing technical assistance sessions to the local education agencies (LEAs) regarding proper implementation of reportable offenses law. In October 2024, the State Superintendent of Schools [issued guidance](#) regarding 13A.08.01.17 *School Use of Reportable Offenses* requiring the transmission of reportable offense information to a public school system or non-public school within the state in which the student has enrolled or transferred. Such a requirement is paramount to maintaining a safe and secure educational environment for students and staff. In January 2025, the Maryland State Board of Education adopted [an amendment to COMAR 13A.08.01.17](#) that reflected this guidance. HB 1265 is consistent with MSDE's recent regulatory changes and guidance.

Implementation:

[Section 7-303 of the Education Article](#) provides schools with information regarding criminal activity outside of the schools' purview, as such information may be necessary to make critical decisions to maintain the safety of the educational environment. The requirement that the State's Attorney notify specific parties strengthens reporting requirements related to the disposition of reportable offense charge, if the State's Attorney has been notified by law enforcement. For a student removed from the regular school program as a result of a reportable offense, COMAR 13A.08.01.17 requires local schools to review the student's placement every 45-days, or upon notification of disposition of the charge.

For further information, please contact Dr. Akilah Alleyne (Executive Director of Government Affairs) at 410-767-0504, or Akilah.alleyne@maryland.gov.