Board of Education of Howard County
Testimony Submitted to the Maryland House of Delegates,
Ways and Means Committee
February 19, 2025

HB0951: INFORMATIONAL ONLY
School Systems - Reportable Offenses – Alterations

Board of Education of Howard County

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The Board of Education of Howard County (the Board) would like to provide this Committee information regarding reportable offenses as you consider **School Systems - Reportable Offenses - Alterations**. Given the variation in bills introduced on this topic during the current legislative session, we hope to illustrate the need for a workgroup to further understand the roles of various agencies and provide the opportunity for collaboration among all stakeholders.

Currently, under Education Article § 7–303, student arrests are reported to the local superintendent, school principal, and School Resource Officer (SRO) if applicable as reportable offenses. Reportable offense reports are used to provide appropriate educational programming and related services to the student while maintaining a safe and secure school environment for students and school personnel. Ultimately, this process results in a case-by-case determination on whether they should remain in their current school environment, should have their regular school program altered, or the student should be removed from their regular school program.

Following the arrest of a Howard High School student subsequent discussions resulted statewide on the topic of reportable offense reporting. The Maryland State Board of Education (MSBE) honored a request from members of the Howard County Delegation and adopted an emergency regulation on October 22, 2024, to amend COMAR 13A.08.01.17F *Confidentiality of Information and Retention of Documents* soon after the events in Howard County. Specifically, this change shifted a "may" to "shall" regarding sharing information when a student with a known reportable offense transfers between school districts in Maryland. The State Superintendent of Schools along with MSBE also testified before the Joint Committee on Administrative, Executive, and Legislative Review (AELR) in early December to discuss the emergency regulation where potential areas of the reportable offense statute that might be fixed via legislation were discussed.

Beyond inter-county sharing, Howard County Public School System (HCPSS) staff have also reviewed Education Article § 7-303 to look for ways to address gaps in communication for potential improvements in the current law. To be clear, the need for additional communication between agencies is not with the intent of being punitive towards students. School systems must remain vigilant in appropriately considering the information shared, with confidentiality, and in a manner that balances the pursuit of a safe environment with protecting individual student rights.

Based on the internal review by staff, the Board adopted a Legislative Priority on reportable offenses along with the following proposed amendments to Education Article § 7-303 within three focus areas:

- Express the need for law enforcement to share reportable offense information expeditiously, and with greater detail to the extent it would help the school system make a placement determination
    - Recommended amendment under § 7-303 (b):
        - (1) Shall notify the following individuals of the arrest [and the charges] within 24 hours of the arrest **AND PROVIDE THE ARREST**

REPORT OR A DESCRIPTION WITH DETAILS PERTINENT TO SCHOOL SAFETY TO INCLUDE WHETHER ANY VICTIMS WERE STUDENTS AND THE TYPE OF WEAPON INVOLVED IF APPLICABLE. CHARGES SHOULD THEN BE PROVIDED [or] as soon as practicable**:**

- Create a support system at the State level that would facilitate locating enrollment when reports are received for a non-local student
    - Recommended addition under § 7-303:
        - **(D) IF A LOCAL SUPERINTENDENT OR SCHOOL PRINCIPAL RECEIVES A REPORT UNDER SUBSECTION (B) FOR A STUDENT THAT IS NOT CURRENTLY ENROLLED IN THAT COUNTY, THE LOCAL SUPERINTENDENT SHALL PROMPTLY NOTIFY THE SUPERINTENDENT OF THE STATE DEPARTMENT OF EDUCATION TO FACILITATE LOCATING THE SCHOOL OR JURISDICTION OF ATTENDANCE. ONCE LOCATED, THE LOCAL SUPERINTENDENT WHO RECEIVED THE REPORT SHALL TRANSFER THE INFORMATION PURSUANT TO SUBSECTION (E).**

- Require the Department of Juvenile Services to share reportable offense information in the same manner law enforcement does
    - Recommended addition under § 7-303:
        - **(G) FOR A STUDENT UNDER THE CUSTODY OR SUPERVISION OF THE DEPARTMENT OF JUVENILE SERVICES, THE DEPARTMENT SHALL NOTIFY THE LOCAL SUPERINTENDENT AND THE SCHOOL PRINCIPAL OF A SCHOOL IN WHICH THE STUDENT IS ENROLLED OR TO WHICH THE STUDENT HAS BEEN TRANSFERRED OF THE STUDENT'S REPORTABLE OFFENSE OR OFFENSE THAT IS RELATED TO THE STUDENT'S MEMBERSHIP IN A CRIMINAL ORGANIZATION, THE DISPOSITION OF THE REPORTABLE OFFENSE, AND THE LAW ENFORCEMENT REPORT OR A DESCRIPTION OF THE OFFENSE INCLUDING DETAILS PERTINENT TO SCHOOL SAFETY TO INCLUDE WHETHER ANY VICTIMS WERE STUDENTS AND THE TYPE OF WEAPON INVOLVED IF APPLICABLE.**

Although our staff and Board have put the above forward as recommended amendments to Education Article § 7–303, we also understand we are not the only voices interested in changes to this process. Other local school systems, the Maryland State Department of Education, law enforcement agencies, the Maryland Department of Juvenile Services, and advocates alike may have ideas that would enhance the reportable offense process. Now is the time to bring those stakeholders together so that you as legislators can make an informed decision on this and future bills that is in the best interest of Maryland students.

Thank you for the opportunity to provide information on HB0951.