

HB0146/313820/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 146
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**and**” and substitute a comma; in the same line, after “**Discipline**” insert “, **and School Disruptions**”; in lines 2 and 3, strike “**Children With Disabilities**” and substitute “**Presence of an Attorney**”; in line 4, after “of” insert “altering the definition of “reportable offense” to include only offenses that occurred off school premises, that did not occur at events sponsored by the school, and that involved certain crimes of violence;”; in line 18, after “present;” insert “requiring each county board of education to report to the Department certain information on school disruptions in violation of a certain provision of law each year;”; in line 19, strike “of education”; and after line 22, insert:

“BY repealing and reenacting, without amendments,

Article - Education

Section 7-303(a)(1)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)”.

On page 2, in line 2, after “Section” insert “7-303(a)(6) and”; in line 7, after “7-303(j)” insert “and (k),”; in the same line, strike “and”; and in the same line, after “7-305(h)” insert “, and 26-101(f)”.

AMENDMENT NO. 2

On page 5, after line 28, insert:

“(a) (1) In this section the following words have the meanings indicated.

(6) “Reportable offense” means AN OFFENSE THAT:

**HB0146/313820/01 Education, Health, and Environmental Affairs Committee
Amendments to HB 146
Page 2 of 6**

(I) OCCURRED OFF SCHOOL PREMISES;

**(II) DID NOT OCCUR AT AN EVENT SPONSORED BY THE
SCHOOL; AND**

[(i)] (III) INVOLVED ANY OF THE FOLLOWING:

**1. A crime of violence, as defined in § 14-101 of the
Criminal Law Article;**

**[(ii)] 2. Any of the offenses enumerated in § 3-8A-03(d)(4) of
the Courts Article;**

**[(iii)] 3. A violation of § 4-101, § 4-102, § 4-203, or § 4-204 of
the Criminal Law Article;**

**[(iv)] 4. A violation of § 5-602, § 5-603, § 5-604, § 5-605, § 5-
606, § 5-607, § 5-608, § 5-608.1, § 5-609, § 5-612, § 5-613, § 5-614, § 5-617, § 5-618,
§ 5-627, or § 5-628 of the Criminal Law Article;**

**[(v)] 5. A violation of § 4-503, § 9-504, or § 9-505 of the
Criminal Law Article;**

**[(vi)] 6. A violation of § 6-102, § 6-103, § 6-104, or § 6-105 of
the Criminal Law Article;**

**[(vii)] 7. A violation of § 9-802 or § 9-803 of the Criminal Law
Article;**

[(viii)] 8. A violation of § 3-203 of the Criminal Law Article;

**HB0146/313820/01 Education, Health, and Environmental Affairs Committee
Amendments to HB 146
Page 3 of 6**

[(ix)] 9. A violation of § 6–301 of the Criminal Law Article;

[(x)] 10. A violation of § 9–302, § 9–303, or § 9–305 of the Criminal Law Article;

[(xi)] 11. A violation of § 7–105 of the Criminal Law Article;

[(xii)] 12. A violation of § 6–202 of the Criminal Law Article; or

[(xiii)] 13. A violation of § 10–606 of the Criminal Law Article.”.

On page 6, in lines 7, 9 and 10, and 12, in each instance, strike “**ADJUDICATED DELINQUENT OR CONVICTED OF**” and substitute “**ARRESTED FOR**”; in line 14, strike “**AND**”; in line 20, after “**REMOVAL**” insert “**; AND**”

(IX) IF REMOVED FROM THE STUDENT’S REGULAR SCHOOL PROGRAM, THE STUDENT’S ACADEMIC PERFORMANCE DURING THE TIME PERIOD THE STUDENT WAS REMOVED, INCLUDING ATTENDANCE, GRADES, AND STANDARDIZED TEST SCORES, AND ANY ADDITIONAL DISCIPLINARY ACTIONS”;

and after line 23, insert:

“(K) IF A STUDENT IS REMOVED OR EXCLUDED FROM THE STUDENT’S REGULAR SCHOOL PROGRAM FOR A REPORTABLE OFFENSE, THE PRINCIPAL OR COUNTY SUPERINTENDENT SHALL INVITE THE STUDENT’S ATTORNEY, IF THE STUDENT HAS AN ATTORNEY, TO PARTICIPATE IN THE CONFERENCE BETWEEN THE STUDENT OR THE STUDENT’S PARENT OR GUARDIAN AND THE PRINCIPAL OR COUNTY SUPERINTENDENT, AND THE MANIFESTATION DETERMINATION REVIEW, IF APPLICABLE.”.

(Over)

**HB0146/313820/01 Education, Health, and Environmental Affairs Committee
Amendments to HB 146
Page 4 of 6**

On page 7, in line 4, strike “(1)”; in line 6, strike “, SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,”; strike in their entirety lines 10 through 23, inclusive; and after line 34, insert:

“26–101.

(F) (1) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1 THEREAFTER, EACH COUNTY BOARD OF EDUCATION, INCLUDING THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, SHALL REPORT TO THE DEPARTMENT ON THE NUMBER OF SCHOOL DISRUPTIONS IN THE COUNTY IN VIOLATION OF THIS SECTION FOR THE IMMEDIATELY PRECEDING SCHOOL YEAR.

(2) A COUNTY BOARD SHALL REPORT THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN THE FOLLOWING MANNER:

(I) THE DISRUPTIONS SHALL BE SORTED INTO FOLLOWING CATEGORIES:

- 1. ATTENDANCE;**
- 2. ARSON, FIRE, OR EXPLOSIVES;**
- 3. DANGEROUS SUBSTANCES;**
- 4. SEX OFFENSES; AND**

5. ATTACK WITH A WEAPON, THREATS, OR FIGHTING;

AND

(II) EACH INCIDENT OF DISRUPTION SHALL BE DISAGGREGATED BY:

1. THE RACE, ETHNICITY, DISABILITY STATUS, AND GENDER OF THE INDIVIDUAL;

2. THE ACTIONS TAKEN AGAINST AN INDIVIDUAL BY THE LOCAL SCHOOL OR COUNTY BOARD RESULTING FROM A VIOLATION, INCLUDING SUSPENSIONS OF FEWER THAN 10 DAYS, SUSPENSIONS OF 10 DAYS OR MORE, AND EXPULSIONS; AND

3. REFERRALS FOR PROSECUTION.

(3) ON OR BEFORE FEBRUARY 1, 2023, AND EACH FEBRUARY 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE MARYLAND CENTER FOR SCHOOL SAFETY AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT ON INCIDENTS OF SCHOOL DISRUPTIONS IN PUBLIC SCHOOLS IN THE STATE FROM A COMPILATION OF THE REPORTS SUBMITTED TO THE DEPARTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DISAGGREGATED IN THE MANNER REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) EACH COUNTY BOARD SHALL INCLUDE INFORMATION ON SCHOOL DISRUPTIONS FROM THE 2018–2019 AND 2019–2020 SCHOOL YEARS IN ITS REPORT TO THE DEPARTMENT FOR THE REPORT DUE ON DECEMBER 1, 2022.”.

(Over)

**HB0146/313820/01 Education, Health, and Environmental Affairs Committee
Amendments to HB 146
Page 6 of 6**

On page 8, in line 2, after “Article” insert “, in effect on June 30, 2022”; and in line 11, strike “disciplinary action the school took” and substitute “removal or exclusion of the student from the student’s regular program”.