

HOUSE BILL 1204

F1

5lr2731

By: **Delegates Patterson, Hill, Kaufman, McComas, Schindler, and Turner**

Introduced and read first time: February 6, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public and Nonpublic Schools – Student Elopement – Notice and Reporting**
3 **Requirements**

4 FOR the purpose of requiring certain public and nonpublic schools to notify a parent or
5 guardian if a student attempts or accomplishes an elopement from the school campus
6 except under certain circumstances; establishing certain reporting requirements for
7 certain public and nonpublic schools and the State Department of Education
8 regarding incidents of student elopement from school; requiring the Department to
9 develop a certain accountability system; and generally relating to student elopement
10 and public and nonpublic schools.

11 BY adding to

12 Article – Education

13 Section 7–11A–01 through 7–11A–07 to be under the new subtitle “Subtitle 11A.
14 Student Elopement From School”

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2024 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Education**

20 **SUBTITLE 11A. STUDENT ELOPEMENT FROM SCHOOL.**

21 **7–11A–01.**

22 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
23 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) "BEHAVIOR INTERVENTION PLAN" HAS THE MEANING STATED IN §
2 7-1101 OF THIS TITLE.

3 (C) "ELOPEMENT" MEANS THE ACT OF A STUDENT LEAVING THE SCHOOL
4 CAMPUS WITHOUT THE PERMISSION OF A SCHOOL STAFF MEMBER WHO HAS
5 RESPONSIBILITY FOR THE STUDENT.

6 (D) "IEP" MEANS AN INDIVIDUALIZED EDUCATION PROGRAM AS DEFINED
7 UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

8 (E) "NONPUBLIC SCHOOL" HAS THE MEANING STATED IN § 7-1101 OF THIS
9 TITLE.

10 (F) "SCHOOL" MEANS:

11 (1) A PUBLIC ELEMENTARY, MIDDLE, OR HIGH SCHOOL;

12 (2) THE MARYLAND SCHOOL FOR THE BLIND;

13 (3) THE MARYLAND SCHOOL FOR THE DEAF; AND

14 (4) A NONPUBLIC SCHOOL.

15 (G) "SCHOOL CAMPUS" MEANS THE BUILDINGS AND GROUNDS OF A
16 SCHOOL, INCLUDING A PLAYGROUND.

17 (H) "WANDERING" MEANS THE ACT OF A STUDENT LEAVING A CLASSROOM
18 OR AREA ON THE SCHOOL CAMPUS, BUT NOT LEAVING THE SCHOOL CAMPUS,
19 WITHOUT THE PERMISSION OF A SCHOOL STAFF MEMBER WHO HAS RESPONSIBILITY
20 FOR THE STUDENT.

21 7-11A-02.

22 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH TIME
23 A STUDENT ATTEMPTS OR ACCOMPLISHES AN ELOPEMENT, THE SCHOOL SHALL
24 NOTIFY THE STUDENT'S PARENT OR GUARDIAN WITHIN 24 HOURS OF THE
25 ELOPEMENT INCIDENT.

26 (B) (1) A SCHOOL IS NOT REQUIRED TO PROVIDE THE NOTICE UNDER
27 SUBSECTION (A) OF THIS SECTION TO THE PARENT OR GUARDIAN OF A STUDENT
28 WHO HAS AN IEP OR A BEHAVIOR INTERVENTION PLAN THAT INCLUDES MEASURES
29 FOR RESPONDING TO AN INCIDENT OF WANDERING OR ELOPEMENT BEHAVIOR BY
30 THE STUDENT.

1 **(2) AT LEAST ONE TIME EACH YEAR, A SCHOOL OR A STUDENT'S IEP**
2 **TEAM SHALL REVIEW AND ADDRESS WITH RELEVANT STAKEHOLDERS A STUDENT'S**
3 **WANDERING OR ELOPEMENT BEHAVIOR IN UPDATING THE STUDENT'S IEP OR**
4 **BEHAVIOR INTERVENTION PLAN.**

5 **7-11A-03.**

6 **(A) ON OR BEFORE AUGUST 1, 2026, AND EACH AUGUST 1 THEREAFTER,**
7 **EACH PUBLIC SCHOOL SHALL SUBMIT TO THE COUNTY BOARD A REPORT FOR THE**
8 **PRIOR SCHOOL YEAR ON:**

9 **(1) THE NUMBER OF ELOPEMENT INCIDENTS, DISAGGREGATED BY**
10 **JURISDICTION, DISABILITY, RACE, GENDER, AGE, AND TYPE OF PLACEMENT;**

11 **(2) THE NUMBER OF ELOPEMENT INCIDENTS FOR EACH STUDENT**
12 **WHO HAD AT LEAST ONE ELOPEMENT INCIDENT, DISAGGREGATED BY**
13 **JURISDICTION, DISABILITY, RACE, GENDER, AGE, AND TYPE OF PLACEMENT; AND**

14 **(3) THE STEPS TAKEN BY THE SCHOOL TO REDUCE THE NUMBER OF**
15 **ELOPEMENT INCIDENTS AND TO ENCOURAGE POSITIVE BEHAVIORAL**
16 **INTERVENTIONS, INCLUDING A DESCRIPTION OF:**

17 **(I) THE PROFESSIONAL DEVELOPMENT PROVIDED TO**
18 **DESIGNATED SCHOOL PERSONNEL ON IDENTIFICATION OF WANDERING OR**
19 **ELOPEMENT BEHAVIOR IN STUDENTS, INCLUDING ANTECEDENTS TO WANDERING**
20 **OR ELOPEMENT BEHAVIOR, AND POSITIVE BEHAVIORAL INTERVENTIONS USED TO**
21 **ADDRESS WANDERING AND ELOPEMENT BEHAVIOR; AND**

22 **(II) THE POLICY CHANGES MADE OR NEW PROFESSIONAL**
23 **DEVELOPMENT OPPORTUNITIES OFFERED THAT WERE DESIGNED TO PROMOTE**
24 **POSITIVE BEHAVIORAL INTERVENTIONS AND REDUCE INCIDENTS OF WANDERING**
25 **AND ELOPEMENT BEHAVIORS IN THE UPCOMING SCHOOL YEAR.**

26 **(B) (1) A COUNTY BOARD SHALL VERIFY THE ACCURACY OF A REPORT**
27 **FROM A SCHOOL THAT REPORTS ZERO ELOPEMENT INCIDENTS UNDER SUBSECTION**
28 **(A) OF THIS SECTION.**

29 **(2) IF A COUNTY BOARD IS UNABLE TO VERIFY THE ACCURACY OF A**
30 **REPORT SUBMITTED BY A SCHOOL UNDER SUBSECTION (A) OF THIS SECTION, THE**
31 **COUNTY BOARD SHALL MAKE RECOMMENDATIONS TO THE SCHOOL FOR**
32 **IMPROVEMENTS IN DATA COLLECTION AND POSITIVE BEHAVIORAL INTERVENTIONS**
33 **AT THE SCHOOL.**

1 (C) ON OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1 THEREAFTER,
2 EACH COUNTY BOARD SHALL SUBMIT TO THE DEPARTMENT A REPORT THAT
3 COMPILES THE INFORMATION REPORTED UNDER SUBSECTION (A) OF THIS SECTION.

4 7-11A-04.

5 (A) ON OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1 THEREAFTER,
6 THE MARYLAND SCHOOL FOR THE BLIND, THE MARYLAND SCHOOL FOR THE DEAF,
7 AND EACH NONPUBLIC SCHOOL SHALL SUBMIT TO THE DEPARTMENT A REPORT FOR
8 THE PRIOR SCHOOL YEAR ON:

9 (1) THE NUMBER OF ELOPEMENT INCIDENTS, DISAGGREGATED BY
10 JURISDICTION, DISABILITY, RACE, GENDER, AGE, AND TYPE OF PLACEMENT;

11 (2) THE NUMBER OF ELOPEMENT INCIDENTS FOR EACH STUDENT
12 WHO HAD AT LEAST ONE ELOPEMENT INCIDENT, DISAGGREGATED BY
13 JURISDICTION, DISABILITY, RACE, GENDER, AGE, AND TYPE OF PLACEMENT; AND

14 (3) THE STEPS TAKEN BY THE SCHOOL TO REDUCE THE NUMBER OF
15 ELOPEMENT INCIDENTS AND TO ENCOURAGE POSITIVE BEHAVIORAL
16 INTERVENTIONS, INCLUDING A DESCRIPTION OF:

17 (I) THE PROFESSIONAL DEVELOPMENT PROVIDED TO
18 DESIGNATED SCHOOL PERSONNEL ON IDENTIFICATION OF WANDERING OR
19 ELOPEMENT BEHAVIOR IN STUDENTS, INCLUDING ANTECEDENTS TO WANDERING
20 OR ELOPEMENT BEHAVIOR, AND POSITIVE BEHAVIORAL INTERVENTIONS USED TO
21 ADDRESS WANDERING AND ELOPEMENT BEHAVIOR; AND

22 (II) THE POLICY CHANGES MADE OR NEW PROFESSIONAL
23 DEVELOPMENT OPPORTUNITIES OFFERED THAT WERE DESIGNED TO PROMOTE
24 POSITIVE BEHAVIORAL INTERVENTIONS AND REDUCE INCIDENTS OF WANDERING
25 AND ELOPEMENT BEHAVIORS IN THE UPCOMING SCHOOL YEAR.

26 (B) (1) THE DEPARTMENT SHALL VERIFY THE ACCURACY OF A REPORT
27 FROM A SCHOOL THAT REPORTS ZERO ELOPEMENT INCIDENTS UNDER SUBSECTION
28 (A) OF THIS SECTION.

29 (2) IF THE DEPARTMENT IS UNABLE TO VERIFY THE ACCURACY OF A
30 REPORT SUBMITTED BY A SCHOOL UNDER SUBSECTION (A) OF THIS SECTION, THE
31 DEPARTMENT SHALL MAKE RECOMMENDATIONS TO THE SCHOOL FOR
32 IMPROVEMENTS IN DATA COLLECTION AND POSITIVE BEHAVIORAL INTERVENTIONS
33 AT THE SCHOOL.

1 7-11A-05.

2 (A) WHEN DETERMINING THE NUMBER OF ELOPEMENT INCIDENTS FOR A
3 REPORT REQUIRED UNDER §§ 7-11A-03 AND 7-11A-04 OF THIS SUBTITLE:

4 (1) AN ELOPEMENT INCIDENT IS A SINGLE ATTEMPTED OR
5 ACCOMPLISHED ELOPEMENT;

6 (2) AN ELOPEMENT INCIDENT SHALL BE CONSIDERED ENDED IF AT
7 ANY TIME DURING THE INCIDENT THE STUDENT IS NO LONGER ATTEMPTING TO
8 LEAVE THE SCHOOL CAMPUS; AND

9 (3) IF A STUDENT RETURNS TO THE SCHOOL CAMPUS AFTER AN
10 ACCOMPLISHED ELOPEMENT, ANY SUBSEQUENT ATTEMPTED OR ACCOMPLISHED
11 ELOPEMENT BY THE STUDENT SHALL BE COUNTED AS A SEPARATE ELOPEMENT
12 INCIDENT.

13 (B) THE DEPARTMENT SHALL:

14 (1) PROVIDE GUIDANCE TO SCHOOLS REGARDING DATA COLLECTION
15 AND COMPLIANCE WITH REPORTING REQUIREMENTS UNDER THIS SUBTITLE;

16 (2) DEVELOP AN ACCOUNTABILITY SYSTEM TO ENSURE COMPLIANCE
17 BY SCHOOLS WITH THE REQUIREMENTS OF THIS SUBTITLE AND ANY REGULATIONS
18 ADOPTED BY THE DEPARTMENT TO IMPLEMENT THIS SUBTITLE; AND

19 (3) ANALYZE THE DATA AND INFORMATION COLLECTED UNDER THIS
20 SUBTITLE TO DETERMINE TRENDS AND PATTERNS.

21 (C) (1) ON OR BEFORE DECEMBER 1, 2026, AND EACH DECEMBER 1
22 THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN
23 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A REPORT ON
24 STUDENT ELOPEMENT USING THE INFORMATION REPORTED TO THE DEPARTMENT
25 UNDER §§ 7-11A-03 AND 7-11A-04 OF THIS SUBTITLE FOR THE PRIOR SCHOOL
26 YEAR.

27 (2) IN THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS
28 SUBSECTION, THE DEPARTMENT SHALL PROVIDE THE DATA:

29 (I) BY SCHOOL, SUBJECT TO STATE AND FEDERAL PRIVACY
30 LAWS; AND

1 **(II) IN A MANNER THAT ACCOUNTS FOR VARIATION IN**
2 **ENROLLMENT BETWEEN SCHOOLS.**

3 **(D) WITHIN 30 DAYS AFTER SUBMITTING THE REPORT UNDER SUBSECTION**
4 **(C) OF THIS SECTION, THE DEPARTMENT SHALL PUBLISH THE REPORT ON ITS**
5 **WEBSITE.**

6 **7-11A-06.**

7 **A SCHOOL OR A COUNTY BOARD SHALL SUBMIT A SYSTEMIC,**
8 **EVIDENCE-BASED CORRECTIVE ACTION PLAN TO THE DEPARTMENT IF THE**
9 **SCHOOL:**

10 **(1) FAILS TO COMPLY WITH ANY PROVISION OF THIS SUBTITLE; OR**

11 **(2) REPORTS TO THE DEPARTMENT THAT A STUDENT HAS**
12 **ATTEMPTED OR ACCOMPLISHED ELOPEMENT 10 TIMES OR MORE IN A SCHOOL YEAR**
13 **UNDER § 7-11A-03 OR § 7-11A-04 OF THIS SUBTITLE.**

14 **7-11A-07.**

15 **(A) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
16 **PROVISIONS OF THIS SUBTITLE.**

17 **(B) A SCHOOL SHALL DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT**
18 **THE REQUIREMENTS OF THIS SUBTITLE.**

19 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
20 **1, 2025.**