

Chapter 339

(House Bill 1204)

AN ACT concerning

**Public and Nonpublic Schools – Student Elopement – Notice and Reporting Requirements
(Ace’s Law)**

FOR the purpose of requiring certain public and nonpublic schools to notify a parent or guardian if a student attempts or accomplishes an elopement from the school campus ~~except under certain circumstances; establishing certain reporting requirements for certain public and nonpublic schools and the State Department of Education regarding incidents of student elopement from school; requiring the Department to develop a certain accountability system; requiring certain schools and individualized education program teams to review and address with relevant stakeholders certain behavior in updating a student’s individualized education program or behavior intervention plan;~~ and generally relating to student elopement and public and nonpublic schools.

BY adding to

Article – Education

Section 7–11A–01 through ~~7–11A–07~~ 7–11A–03 to be under the new subtitle “Subtitle 11A. Student Elopement From School”

Annotated Code of Maryland

(2022 Replacement Volume and 2024 Supplement)

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

Article – Education

SUBTITLE 11A. STUDENT ELOPEMENT FROM SCHOOL.

7–11A–01.

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

(B) “BEHAVIOR INTERVENTION PLAN” HAS THE MEANING STATED IN § 7–1101 OF THIS TITLE.

(C) “ELOPEMENT” MEANS THE ACT OF A STUDENT LEAVING THE SCHOOL CAMPUS WITHOUT THE PERMISSION OF A SCHOOL STAFF MEMBER WHO HAS RESPONSIBILITY FOR THE STUDENT.

(D) “IEP” MEANS AN INDIVIDUALIZED EDUCATION PROGRAM AS DEFINED UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(E) “NONPUBLIC SCHOOL” HAS THE MEANING STATED IN § 7-1101 OF THIS TITLE.

(F) “SCHOOL” MEANS:

- (1) A PUBLIC ELEMENTARY, MIDDLE, OR HIGH SCHOOL;
- (2) THE MARYLAND SCHOOL FOR THE BLIND;
- (3) THE MARYLAND SCHOOL FOR THE DEAF; AND
- (4) A NONPUBLIC SCHOOL.

(G) “SCHOOL CAMPUS” MEANS THE BUILDINGS AND GROUNDS OF A SCHOOL, INCLUDING A PLAYGROUND.

(H) (1) “WANDERING” MEANS THE ACT OF A STUDENT LEAVING A CLASSROOM OR AREA ON THE SCHOOL CAMPUS, BUT NOT LEAVING THE SCHOOL CAMPUS, WITHOUT THE PERMISSION OF A SCHOOL STAFF MEMBER WHO HAS RESPONSIBILITY FOR THE STUDENT.

(2) “WANDERING” DOES NOT INCLUDE A STUDENT LEAVING A CLASSROOM OR AREA ON THE SCHOOL CAMPUS UNDER A FLASH PASS OR ANOTHER STANDING ARRANGEMENT THAT HAS BEEN APPROVED BY A SCHOOL ADMINISTRATOR.

7-11A-02.

(A) ~~EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH EACH~~ TIME A STUDENT ATTEMPTS OR ACCOMPLISHES AN ELOPEMENT, THE SCHOOL SHALL NOTIFY THE STUDENT’S PARENT OR GUARDIAN ~~WITHIN 24 HOURS~~ OF THE ELOPEMENT INCIDENT ON THE SAME DAY AS THE ELOPEMENT INCIDENT.

(B) (1) ~~A SCHOOL IS NOT REQUIRED TO PROVIDE THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION 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.~~

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

~~7-11A-03.~~

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

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

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

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

~~(i) THE PROFESSIONAL DEVELOPMENT PROVIDED TO DESIGNATED SCHOOL PERSONNEL ON IDENTIFICATION OF WANDERING OR ELOPEMENT BEHAVIOR IN STUDENTS, INCLUDING ANTECEDENTS TO WANDERING OR ELOPEMENT BEHAVIOR, AND POSITIVE BEHAVIORAL INTERVENTIONS USED TO ADDRESS WANDERING AND ELOPEMENT BEHAVIOR; AND~~

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

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

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

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

~~7-11A-04.~~

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

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

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

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

~~(i) THE PROFESSIONAL DEVELOPMENT PROVIDED TO DESIGNATED SCHOOL PERSONNEL ON IDENTIFICATION OF WANDERING OR ELOPEMENT BEHAVIOR IN STUDENTS, INCLUDING ANTECEDENTS TO WANDERING OR ELOPEMENT BEHAVIOR, AND POSITIVE BEHAVIORAL INTERVENTIONS USED TO ADDRESS WANDERING AND ELOPEMENT BEHAVIOR; AND~~

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

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

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

~~7-11A-05.~~

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

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

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

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

~~(B) THE DEPARTMENT SHALL:~~

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

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

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

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

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

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

~~(II) IN A MANNER THAT ACCOUNTS FOR VARIATION IN ENROLLMENT BETWEEN SCHOOLS.~~

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

~~7-11A-06.~~

~~A SCHOOL OR A COUNTY BOARD SHALL SUBMIT A SYSTEMIC, EVIDENCE BASED CORRECTIVE ACTION PLAN TO THE DEPARTMENT IF THE SCHOOL:~~

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

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

~~7-11A-07.~~

~~(A) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.~~

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

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

Approved by the Governor, May 6, 2025.