

Maryland's Model Policy on Student Registered Sex Offenders – Entry on School Property

Introduction and Background

In 2021, the Maryland General Assembly Enacted Senate Bill 515 (Chapter 259) Criminal Procedure – Registered Sex Offenders – *Entry Onto School Property*. This bill, which was passed on May 18, 2021, and is codified, Maryland Annotated Code §11-722 Criminal Procedure Article, limits the authorization of a student who is a registered sex offender from entering onto real property: (1) that is used for public or nonpublic elementary or secondary education; or (2) on which a registered family childcare home, a licensed childcare home or childcare institution, or home used for informal childcare is located. The statute also allows for a student who is a registered sex offender to receive a certain education under specific context.

The statute indicates that each local school board must adopt a policy that enables a registered sex offender who is a student to receive an education by participating in a program approved by the county board such as the home and hospital teaching program, by attending a Regional Institute for Children and Adolescents (RICA), or by attending a nonpublic special education program within certain conditions.

The Maryland State Department of Education (MSDE) developed this model policy to support local school systems (LSS) in implementing Criminal Procedure Article §11-722(e)(3). - *Criminal Procedure-Registered Sex Offenders – Entry Onto School Property*. The document was developed by the MSDE's Division of Student Support, Academic Enrichment, and Educational Policy with feedback from the Maryland Department of Juvenile Services, the Maryland Office of the Public Defender local school safety administrators, community partners and advocates.

The list of considerations is not all-inclusive and is not intended as an endorsement of any particular action. The purpose of this guidance is focused on meeting the requirements defined within the law, keeping Maryland schools, its students, and personnel safe.

Directions for Local School Systems:

Maryland's Model Policy on Student Registered Sex Offenders – Entry on School Property 2021, serves as a model for local school systems to assist in the development of a local policy. Directions for developing the local school system's policy are incorporated into the State's Model Policy along with model language to be used in the local school system's policy.