

Public Comment Received During the 30-day Public Comment Period for Policy KFB – Reporting Crimes and Delinquent Acts

Please note that the following comment was received during the 30-day public comment period for the proposed revision of Policy KFB – Reporting Crimes and Delinquent Acts. Other than formatting and the removal of some personal information, the comments have not been altered.

To Whom It May Concern:

Public Comment on Policy KFB – Reporting Crimes and Delinquent Acts

Are we asking Administrators and Principals to determine if something is criminal or will they confer with law enforcement before making the determination? What are the privacy and civil protections for students if the reporting is erroneous or malicious? Could this cause irreparable harm to a student? What supports are in place for students who report acts and are exposed to retribution?

Why is this policy necessary? Are violent crimes and delinquent acts NOT being reported? This policy oversteps. The applicability of Maryland Criminal Code 14-101, *cited in this policy* is applicable after a legal determination of the age of the alleged offender, and other matters, have been made. It does not seem to provide the authority the Board has stated.

Thank you.

Josietoes22@gmail.com

Good afternoon,

Thank you for reaching out regarding the proposed reissuance of Policy KFB – Reporting Crimes and Delinquent Acts. This policy was requested by staff to ensure compliance with [Code of Maryland Regulations \(COMAR\) 13A.08.01.15](#). COMAR 13A.08.01.15 requires that school officials promptly report to responsible law enforcement agencies all delinquent acts coming to their attention, whether occurring on or away from the school premises. This has been AACPS' practice for many years; however, adopting this practice in policy and regulation will ensure that our students, staff, and families receive sufficient notice of this practice.

In discussing this policy, our team also felt it was important to require that crimes of violence that come to the attention of a school staff member be reported to law enforcement to ensure the student and school safety. Law enforcement is already required by State law to report to school systems when a student has been charged with a crime of violence. Requiring staff to report crimes of violence that come to their attention ensures that these crimes have been reported to law enforcement, a proactive step to ensure student and school safety. The responsibility for investigating crimes and issuing charges falls with the relevant law enforcement agency. Our legal system provides due process for all individuals.

If a school staff member is unsure of what constitutes a crime or a delinquent act, they can certainly reach out to the Legislative and Policy Office or the Legal Office for clarification and guidance. The ultimate determination of what is in fact a crime of violence or delinquent act is left to the relevant law enforcement agency. Students will not face school discipline as a result of crimes or delinquent acts reported under this policy. The goal of the policy is that these acts do not go unreported to law enforcement. However, it is important to note that this policy only requires staff members to report crimes and delinquent acts that come to their attention, there is no such requirement for students to make these reports.

If I can provide additional information or assistance, please do not hesitate to reach out to me.

Best,

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Crimes and Delinquent Acts**

Grace Wilson

Legislative and Policy Specialist