

BILL: House Bill 1244
TITLE: Workgroup on Establishing an Independent School Board for the Juvenile Services Education System
DATE: February 22, 2018
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means Committee
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The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, supports House Bill 1244, with amendments to include the pilot program and other provisions proposed in House Bill 1607. Both bills propose to study the creation of an independent board to oversee the education programs in Department of Juvenile Services (DJS) facilities, but House Bill 1607 would also study other approaches and launch a pilot program to allow local school systems to operate their own instructional program.

MABE recognizes the significant concerns regarding the quality and continuity of educational programs offered within DJS facilities and administered through the Maryland State Department of Education (MSDE). Therefore MABE is supporting a concerted effort to explore alternative strategies to improve the quality of educational services to Maryland students placed in DJS facilities.

House Bill 1244 would focus on whether it would be beneficial for the State to create an independent school board for the governance of the educational programs offered within DJS facilities. MABE does not oppose this approach being studied, but would prefer that it be included among a broader set of policy options.

Local boards of education support a robust and successful approach to ensuring continuous access to high quality learning experiences for students placed in DJS facilities. Since the passage of the Budget Reconciliation and Financing Act (BRFA) of 2013 (House Bill 102) local boards of education have been required to reimburse DJS for each child from the county that is placed in a detention facility for 15 or more consecutive days. The reimbursement amount is equivalent to the average amount of State and local funds spent for the public education of a nondisabled child in the county; and calculated for students who were included in a school system's annual enrollment count.

MABE and all local boards of education appreciate the need for continued state and local investment in the education of students enrolled in public school systems who, for a time, receive their education in DJS programs. MABE notes the challenge of crafting education programming for a relative small number of students who are in different situations in the criminal justice system and whose time within DJS is typically very brief.

According to current DLS budget analysis, the average length of stay for a youth in secure (pre-adjudication) detention has been consistently under 20 days for the past four fiscal years; and under 26 days for pending placement youth. As the budget analysis emphasizes, these average stays of under a month are in contrast to the average length of stay for the youth-charged-as-adult population which has been about 100 days but currently stands at more than 120 days. In addition, the numbers of students in secure detention pre-adjudication and pending placement have been falling; and the youth-charged-as-adult population has grown dramatically. In this light, MABE supports studying alternative approaches to educating all youth in DJS facilities and pursuing the option for local school systems to develop and deliver their own instructional programs.

For these reasons, MABE requests a favorable report on House Bill 1244, with amendments to incorporate the pilot program and workgroup provisions of House Bill 1607, which is inclusive of this bill's specific workgroup proposal.