

BILL: Senate Bill 798
TITLE: Education - Juvenile Services Education System - Establishment, Powers, and Duties
DATE: February 18, 2020
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Education, Health, and Environmental Affairs Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 798 with amendments. In recent legislative sessions, MABE has supported the study of the creation of an independent board to oversee the education programs in Department of Juvenile Services (DJS) facilities.

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 has consistently supported a concerted effort to explore alternative strategies to improve the quality of educational services to Maryland students placed in DJS facilities.

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 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 relatively small number of students who are in different situations in the criminal justice system and whose time within DJS is typically brief.

The prompt transfer of records between school systems and DJS, and DJS and school systems, is an essential component of a system that strives to maintain continuity in the instruction and service delivery for students moving between DJS and a local school system. Therefore, MABE strongly supports amendments to assure that this is a mutually guaranteed, timely exchange of student records.

For these reasons, MABE requests a favorable report on Senate Bill 798 with the amendments described above.

Amendments requested by the Maryland Association of Boards of Education

Amendments to Senate Bill 798

On page 8, after line 16, insert:

(E) THE SYSTEM SUPERINTENDENT AND THE DEPARTMENT OF JUVENILE SERVICES, IN CONSULTATION WITH THE BOARD AND THE COUNTY BOARDS, SHALL DEVELOP AND IMPLEMENT A PROCEDURE TO TRANSFER A COPY OF THE EDUCATION RECORDS OF A JUVENILE FROM THE DEPARTMENT TO THE SCHOOL IN WHICH THE JUVENILE IS RE-ENROLLED WITHIN 48 HOURS OF NOTICE THAT THE JUVENILE IS RECEIVING SERVICES IN THE SCHOOL IN WHICH THE JUVENILE IS RE-ENROLLED.