

BILL: House Bill 71
TITLE: Juvenile Services Education Board and Program – Establishment, Powers, and Duties
DATE: January 28, 2021
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Judiciary Committee
Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports House Bill 71 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. This bill would not only establish such a board but also impose several requirements on local school systems relating to the transfer of per pupil funding and the transfer of student-specific instructional materials. In addition, the bill would exempt juniors and seniors from meeting graduation requirements based on any placement in a DJS facility. MABE believes that these provisions deserve more scrutiny and amendments before enacted this bill into law.

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 appreciates the efforts made in this bill to address the challenges of crafting education programming and funding reforms 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.

For these reasons, MABE requests a favorable report on House Bill 71 with amendments to address the concerns outlined above.