

HOUSE BILL 825

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F1

2001 Regular Session
(11r1624)

ENROLLED BILL

-- Ways and Means/Economic and Environmental Affairs --

Introduced by **Delegates Shriver and Vallario**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 685

1 AN ACT concerning

2 **Juvenile Justice Alternative Education Pilot Program - Suspended and**
3 **Expelled Students**

4 FOR the purpose of requiring the State Board of Education to establish in a county
5 designated by the State Superintendent of Schools a juvenile justice alternative
6 education pilot program for certain suspended ~~and expelled~~, expelled, and
7 certain other students; authorizing the State Board of Education on a county
8 board of education to enter into a certain partnership with the county's circuit
9 court judges to oversee the juvenile justice alternative education pilot program;
10 authorizing the State Board to select a private agency to administer the juvenile
11 justice alternative education pilot program; requiring the selected private agency
12 to provide certain proof of progress and to have certain experience; requiring
13 certain students to attend the juvenile justice alternative education pilot
14 program except under certain circumstances; requiring the juvenile justice
15 alternative education pilot program to provide certain programs and services;
16 requiring the State Board to report to the General Assembly on or before a
17 certain date each year; ~~making this Act subject to a certain contingency;~~

1 providing for the termination of this Act; and generally relating to a juvenile
 2 justice alternative education pilot program for suspended ~~and expelled, expelled,~~
 3 and certain other students.

4 BY adding to
 5 Article - Education
 6 Section 7-305.1
 7 Annotated Code of Maryland
 8 (1999 Replacement Volume and 2000 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article - Education**

12 7-305.1.

13 (A) THE STATE BOARD SHALL ESTABLISH IN A COUNTY DESIGNATED BY THE
 14 STATE SUPERINTENDENT A JUVENILE JUSTICE ALTERNATIVE EDUCATION PILOT
 15 PROGRAM FOR PUBLIC SCHOOL STUDENTS WHO ARE SUSPENDED ~~OR EXPELLED,~~
 16 EXPELLED, OR IDENTIFIED AS BEING CANDIDATES FOR SUSPENSION OR EXPULSION
 17 AS PROVIDED IN SUBSECTION (C) OF THIS SECTION.

18 (B) THE DEPARTMENT OR THE COUNTY BOARD FOR THE COUNTY
 19 DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION MAY ENTER INTO A
 20 PARTNERSHIP WITH THE COUNTY'S CIRCUIT COURT JUDGES TO OVERSEE THE
 21 JUVENILE JUSTICE DISCIPLINARY ALTERNATIVE EDUCATION PILOT PROGRAM FOR
 22 PUBLIC SCHOOL STUDENTS WHO ARE SUSPENDED, EXPELLED, OR IDENTIFIED AS
 23 BEING CANDIDATES FOR SUSPENSION OR EXPULSION.

24 ~~(B)~~ (C) (1) THE STATE BOARD MAY SELECT A PRIVATE AGENCY TO
 25 ADMINISTER THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PILOT PROGRAM.

26 (2) THE SELECTED PRIVATE AGENCY SHALL:

27 (I) PROVIDE PROOF OF STUDENT PROGRESS IN READING AND
 28 MATHEMATICS; AND

29 (II) HAVE AT LEAST 3 YEARS OF EXPERIENCE SERVING STUDENTS
 30 THAT ARE SUSPENDED, EXPELLED, OR IDENTIFIED AS BEING CANDIDATES FOR
 31 SUSPENSION OR EXPULSION.

32 ~~(C)~~ (D) EXCEPT FOR A STUDENT WHO IS ADJUDICATED DELINQUENT AND
 33 COMMITTED BY THE JUVENILE COURT TO A PUBLIC OR LICENSED PRIVATE AGENCY
 34 FOR PLACEMENT IN A FACILITY UNDER § 3-820 OF THE COURTS ARTICLE, ~~OR A~~
 35 ~~STUDENT WITH A DISABILITY DESCRIBED IN § 7-305(F) OF THIS SUBTITLE, A~~
 36 STUDENT WHO IS REQUIRED TO ATTEND SCHOOL UNDER § 7-301 OF THIS SUBTITLE
 37 AND WHO IS SUSPENDED ~~OR EXPELLED,~~ EXPELLED, OR IDENTIFIED AS BEING A
 38 CANDIDATE FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL IN THE

1 COUNTY DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION SHALL ATTEND THE
2 JUVENILE JUSTICE ALTERNATIVE EDUCATION PILOT PROGRAM.

3 ~~(D)~~ (E) THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PILOT PROGRAM
4 SHALL:

5 (1) PROVIDE PROGRAMS DESIGNED TO PROMOTE SELF-DISCIPLINE AND
6 REDUCE DISRUPTIVE BEHAVIOR IN THE SCHOOL ENVIRONMENT;

7 (2) ENSURE THAT THE STUDENT CONTINUES TO RECEIVE APPROPRIATE
8 EDUCATIONAL AND RELATED SERVICES DURING THE TERM OF THE SUSPENSION OR
9 EXPULSION; AND

10 (3) OFFER SERVICES TO FACILITATE THE STUDENT'S TRANSITION BACK
11 TO THE SCHOOL AFTER COMPLETION OF THE TERM OF SUSPENSION OR EXPULSION.

12 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1 of
13 each year, the State Board of Education shall report to the Governor and, subject to §
14 2-1246 of the State Government Article, to the General Assembly on the
15 implementation of this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 ~~October July 1, 2001, contingent on the Governor including funding for the Juvenile~~
18 ~~Justice Alternative Education Pilot Program in the Supplemental budget for fiscal~~
19 ~~year 2002, and if funding is not provided this Act shall be null and void without the~~
20 ~~necessity of further action by the General Assembly.~~ It shall remain effective for a
21 period of 4 years and, at the end of ~~September June~~ 30, 2005, with no further action
22 required by the General Assembly, this Act shall be abrogated and of no further force
23 and effect.