

SENATE BILL 118

E3

4lr0086

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Juvenile Services)**

Requested: November 8, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Juvenile Services Education – Facilities**

3 FOR the purpose of repealing a certain requirement that the Department of Juvenile
4 Services adopt regulations requiring the provision of year-round educational
5 services in residential programs; repealing a certain requirement that the State
6 Department of Education develop and implement an educational program
7 specific to the Charles H. Hickey, Jr. School; repealing certain requirements
8 related to the transmission of certain records under certain circumstances;
9 repealing a certain authorization that the State Superintendent of Schools may
10 impose certain corrective actions under certain circumstances; repealing a
11 certain requirement that the Department of Juvenile Services work
12 cooperatively with the State Department of Education to facilitate the
13 implementation of a certain education program and the attendance of students
14 in the program; making a certain conforming change; and generally relating to
15 juvenile services education.

16 BY repealing and reenacting, with amendments,
17 Article – Human Services
18 Section 9-227(b)(3)
19 Annotated Code of Maryland
20 (2007 Volume and 2013 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 22-303
24 Annotated Code of Maryland
25 (2008 Replacement Volume and 2013 Supplement)

26 BY repealing

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 22–308
3 Annotated Code of Maryland
4 (2008 Replacement Volume and 2013 Supplement)

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

7 **Article – Human Services**

8 9–227.

9 (b) The Department shall:

10 (3) [except as provided in § 22–308 of the Education Article,] adopt
11 regulations that require each State residential program to provide:

12 (i) [year–round educational programs that are designed to meet
13 the particular needs of its residents;

14 (ii)] medical and mental health assessment services;

15 [(iii)] (II) alcohol abuse and drug abuse assessment services;

16 [(iv)] (III) either alcohol abuse and drug abuse referral services
17 or an alcohol abuse and drug abuse treatment program that has been certified in
18 accordance with the requirements of Title 8 of the Health – General Article; and

19 [(v)] (IV) a safe, humane, and caring environment.

20 **Article – Education**

21 22–303.

22 (a) (1) The Department shall develop and implement juvenile services
23 educational programs at all residential facilities of the Department of Juvenile
24 Services by July 1, 2014.

25 (2) This subsection does not prohibit the Department from contracting
26 with a private party to provide educational services for students with special needs
27 under the control and general management of the Department.

28 (b) On or before February 1, 2006, and every other year thereafter until
29 2014, the Department shall report to the Governor and, in accordance with § 2–1246 of
30 the State Government Article, to the General Assembly on the Department’s
31 implementation of this subtitle, including:

1 (1) The identification of all residential facilities for which the
2 Department has assumed responsibility for the educational services; and

3 (2) All facilities for which the Department plans to assume
4 responsibility during the next calendar year.

5 [(c) The Department's responsibility for the Charles H. Hickey, Jr. School
6 shall be governed by § 22-308 of this subtitle.]

7 [22-308.

8 (a) The Department shall develop and implement an educational program
9 designed to meet the particular needs of the population at the Charles H. Hickey, Jr.
10 School in Baltimore County.

11 (b) (1) For each student placed at the Charles H. Hickey, Jr. School, the
12 local school system in which the student was last enrolled shall transmit within 5 days
13 of notice of the placement, the complete record of the student including medical
14 information in the custody of the local school system.

15 (2) The Charles H. Hickey, Jr. School shall transmit the complete
16 student record to the local school system where a student released from the Charles H.
17 Hickey, Jr. School is enrolled within 5 days of notice of the student's enrollment.

18 (3) The State Superintendent may impose appropriate corrective
19 action including withholding or redirection of funding if either a local school system or
20 the Charles H. Hickey, Jr. School fails to comply with the timely transmission of the
21 student record.

22 (c) The Department of Juvenile Services shall work cooperatively with the
23 Department to:

24 (1) Facilitate the full implementation of the educational program at
25 the Charles H. Hickey, Jr. School; and

26 (2) Make students available for attendance during scheduled class
27 time.]

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2014.