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

AN ACT concerning

Juvenile Law – Juvenile Services Education – Facilities

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

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

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

BY repealing

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

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

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

Article – Human Services

9–227.

(b) The Department shall:

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

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

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

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

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

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

Article – Education

22–303.

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

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

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

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

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

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

[22–308.

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

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

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

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

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

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

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

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