

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 657 (Senator Kelley, *et al.*)
Education, Health, and Environmental Affairs

**Workgroup on Establishing an Independent School Board for the Juvenile
Services Education System**

This bill creates the Workgroup on Establishing an Independent School Board for the Juvenile Services Education System (JSES), to be staffed by the Department of Legislative Services (DLS). By December 20, 2019, the workgroup must submit a report of its findings and recommendations to the Governor and the General Assembly. **The bill takes effect July 1, 2018, and terminates June 30, 2020.**

Fiscal Summary

State Effect: DLS can staff the workgroup using existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The workgroup must (1) determine whether it would be beneficial for the State to create an independent school board for JSES, as specified; (2) identify ways to reform juvenile education services to remove disparities between course offerings, staffing, and budgetary support available to students in JSES and to students served by public schools in the State; and (3) make recommendations on whether the Governor should establish an independent school board for JSES that includes representatives from each of the Department of Juvenile Services' (DJS) operational regions and any at-large positions within the membership.

Current Law/Background: The State's JSES operates within the Maryland State Department of Education (MSDE). MSDE first assumed responsibility for educating juveniles within residential facilities operated by DJS in 2003, when it assumed control over educational programming at one facility. Chapter 535 of 2004 expanded on these efforts and required MSDE to provide educational services in all of the residential facilities within specified timeframes. By July 1, 2013, MSDE had assumed control of educational programming within all DJS facilities. Chapter 535 also established the Coordinating Council for Juvenile Services Educational Programs, which provides input on the development and implementation of instructional services administered within DJS facilities.

At the time Chapter 535 was enacted, it was assumed that that MSDE, being the overseer of education services for the State, was better positioned to ensure the provision of adequate education services to the population of youth under the care of DJS. However, concerns have been raised questioning whether MSDE is providing the appropriate level of services to students in DJS facilities. For example, the Juvenile Justice Monitoring Unit in the Office of the Attorney General has repeatedly raised concerns regarding adequate staffing levels. In its most recent report, it noted that substantial problems with the delivery of education services within DJS facilities have not been resolved, despite the work and effort of JSES to make improvements. It further stated that JSES is not designed to directly provide education services effectively to youth in the deep end of the juvenile justice system, and that the State should consider the possibility of giving oversight to other entities better equipped to operate schools and provide the full spectrum of education-related services that youth in the juvenile justice system need.

Additional Information

Prior Introductions: None.

Cross File: HB 1244 (Delegate Hettleman, *et al.*) - Judiciary and Ways and Means.

Information Source(s): Office of the Public Defender; Maryland State Department of Education; Department of Juvenile Services; Office of the Attorney General; Department of Legislative Services

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md/rhh

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