

SENATE BILL 221

F1
SB 657/18 – EHE

9lr0832
CF HB 1223

By: **Senators Kelley, Beidle, Benson, Carter, Cassilly, Eckardt, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hough, Jennings, Kagan, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Rosapepe, Serafini, Smith, Waldstreicher, Washington, West, and Young**

Introduced and read first time: January 24, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2019

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of establishing the Workgroup on Establishing an Independent School
5 Board for the Juvenile Services Education System; providing for the membership,
6 cochairs, and staffing of the Workgroup; requiring the Workgroup to consider certain
7 topics and make certain findings; requiring the Workgroup to convene on a certain
8 date; requiring the Workgroup to submit a certain report to the Governor and the
9 General Assembly in a certain format and on or before a certain date; providing for
10 the termination of this Act; and generally relating to the Workgroup on Establishing
11 an Independent School Board for the Juvenile Services Education System.

12 Preamble

13 WHEREAS, Maryland's Juvenile Services Education System (JSES), which is
14 housed within the Maryland State Department of Education, operates no schools and lacks
15 an independent board; and

16 WHEREAS, The children served by JSES have experienced a disproportionately
17 high rate of trauma and are in need of a higher level of special education services for which
18 there are inadequate budgetary and staffing resources; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 WHEREAS, JSES struggles with stretching its resources over a 12-month calendar,
2 rather than a traditional 9-month calendar, which exacerbates difficulties with filling staff
3 vacancies in a timely manner and maintaining an adequate lineup of substitute teachers;
4 and

5 WHEREAS, There are very limited options available to students in JSES for earning
6 credits, taking online courses, or enrolling in a postsecondary program; and

7 WHEREAS, Instruction available to JSES students is not based on the academic
8 interests or achievements of the students, but on housing assignments of the students; and

9 WHEREAS, JSES lacks systematic protocols for ensuring that, as a student
10 graduates from the program, a transcript of the student's completed work is available to a
11 public school; and

12 WHEREAS, The pay, working conditions, and attrition rates of JSES teachers,
13 principals, and support staff are in need of significant improvement; now, therefore,

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That:

16 (a) There is a Workgroup on Establishing an Independent School Board for the
17 Juvenile Services Education System.

18 (b) The Workgroup consists of the following members:

19 (1) three members of the Senate of Maryland, appointed by the President
20 of the Senate as follows:

21 (i) one member of the Budget and Taxation Committee;

22 (ii) one member of the Education, Health, and Environmental
23 Affairs Committee; and

24 (iii) one member of the Judicial Proceedings Committee;

25 (2) three members of the House of Delegates, appointed by the Speaker of
26 the House as follows:

27 (i) one member of the Appropriations Committee;

28 (ii) one member of the Ways and Means Committee; and

29 (iii) one member of the House Judiciary Committee;

30 (3) the State Superintendent of Schools, or the State Superintendent's
31 designee;

1 (4) the Secretary of Juvenile Services, or the Secretary's designee;

2 (5) two county superintendents of schools, appointed by the Public School
3 Superintendents Association of Maryland; and

4 (6) the following members, each of whom shall have experience with the
5 Juvenile Services Education System or juvenile education:

6 (i) one representative of the Maryland Association of Boards of
7 Education, appointed by the President of the Maryland Association of Boards of Education;

8 (ii) one representative of the Maryland Association of Community
9 Colleges, appointed by the President of the Maryland Association of Community Colleges;

10 (iii) one representative of Disability Rights Maryland, appointed by
11 the Executive Director of Disability Rights Maryland;

12 (iv) one representative of the Public Justice Center, appointed by the
13 Executive Director of the Public Justice Center; and

14 (v) one representative of the Office of the Public Defender, appointed
15 by the Public Defender.

16 (c) The President of the Senate and the Speaker of the House shall jointly
17 designate cochairs of the Workgroup from among the members appointed by the President
18 and the Speaker.

19 (d) ~~The Department of Legislative Services~~ Department of Juvenile Services and
20 the State Department of Education shall jointly provide staff for the Workgroup.

21 (e) The Workgroup shall:

22 (1) determine whether it would be beneficial for the State to create an
23 independent school board for the Juvenile Services Education System with:

24 (i) a reformed mission;

25 (ii) an adequate population-based budget;

26 (iii) a 9-month calendar for staff assignments and salary payments;

27 (iv) a reasonable set of curriculum and course offerings; and

28 (v) instructional and record-keeping modalities reflective of best
29 practices in the State's county school systems;

1 (2) identify ways to reform juvenile education services to remove
2 disparities between course offerings, staffing, and budgetary support available to students
3 in the Juvenile Services Education System and to students served by public schools in the
4 State; and

5 (3) make recommendations on whether the ~~Governor~~ General Assembly
6 should establish an independent school board for the Juvenile Services Education System
7 that includes:

8 (i) representatives from each of the Department of Juvenile
9 Services' six operational regions; and

10 (ii) any at-large positions within the membership.

11 (f) The Workgroup shall hold its first meeting on or before September 1, 2019.

12 (g) On or before December 20, 2020, the Workgroup shall submit a report of its
13 findings and recommendations to the Governor, and, in accordance with § 2-1246 of the
14 State Government Article, the General Assembly.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2019. It shall remain effective for a period of 2 years and, at the end of June 30, 2021,
17 this Act, with no further action required by the General Assembly, shall be abrogated and
18 of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.