

ERIC LUEDTKE
Legislative District 14
Montgomery County

MAJORITY LEADER

Ways and Means Committee

Chair, Revenues Subcommittee



The Maryland House of Delegates
6 Bladen Street, Room 350
Annapolis, Maryland 21401
301-858-3110 · 410-841-3110
800-492-7122 Ext. 3110
Fax 301-858-3053 · 410-841-3053
Eric.Luedtke@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

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SPONSOR Testimony on House Bill 1513

Education - Juvenile Services Education System - Establishment, Powers, and Duties

Madame Chair, Distinguished Members of the Ways and Means Committee,

Education programs within the Department of Juvenile Services detention facilities are currently operated by the Maryland State Department of Education (MSDE). Students in these programs have long been underserved. The existing Juvenile Services Education System does not have a school board like other systems, pays teachers uncompetitively although they work 12 months annually, fails to accredit many courses, fails to provide IEPs, 504 plans, and ESOL information, often leaves positions vacant for extended periods of time to the detriment of the students, and does not have a dedicated budget formula. Experts around the State believe that, in order to fix these issues, the juvenile services education system must have autonomy.

Broadly, this legislation creates an independent juvenile services education system governed by a school board and implemented by a superintendent. The employees of this system will be classified as DJS employees but will be subject to the authority of the board and superintendent, not of DJS administration. In addition to creating a new governing structure for this system, this bill sets forward a range of standards to address the transfer of important records, to accreditation of courses, access to career and technical education and higher education programs, and more.

Working with Chairman Kelley and stakeholders, I have drafted a major amendment to this legislation that you can find attached to this testimony.

Thank you,

Delegate Eric Luedtke

A handwritten signature in cursive script, appearing to read "Eric Luedtke".

Amendment to House Bill 1513

Correctional Services Article

Title 8 – State and Local Correctional System – Generally

Subtitle 2 – Correctional Training Board

8-201

(a) In this subtitle the following words have the meanings indicated.

(b) "Approved correctional training school" means a school authorized by the Board to offer training programs as provided under this subtitle.

(c) "Board" means the Correctional Training Board.

(d) "Correctional administrator" means a correctional officer who has been promoted from a supervisory rank to first-line administrative duties.

(e) (1) "Correctional officer" means a member of a correctional unit whose duties relate to the investigation, care, custody, control, or supervision of inmates and individuals who:

(i) have been placed on parole or mandatory supervision;

(ii) have been placed on probation; or

(iii) have received a suspended sentence.

(2) "Correctional officer" does not include:

(i) the head or deputy head of a correctional unit; or

(ii) a sheriff, warden, or superintendent or an individual with an equivalent title who is appointed or employed by a unit of government to exercise equivalent supervisory authority.

(f) "Correctional supervisor" means a correctional officer who has been promoted to first-line supervisory duties.

(g) (1) "Correctional unit" means a unit of State, county, or municipal government that is responsible under a statute, ordinance, or court order for the investigation, care, custody, control, and supervision of inmates and individuals who:

(i) have been placed on parole or mandatory supervision;

(ii) have been placed on probation; or

(iii) have received a suspended sentence.

(2) "Correctional unit" includes those facilities as set forth in [Section 9-226 of the Human Services Article](#) and other facilities as designated by the Secretary of Juvenile Services.

(h) (1) "Department of Juvenile Services employee" means a youth supervisor, youth counselor, direct care worker, DIRECT EDUCATION STAFF, OR OTHER EMPLOYEE OF THE DEPARTMENT OF JUVENILE SERVICES WHOSE EMPLOYMENT RESPONSIBILITY IS THE INVESTIGATION, CUSTODY, CONTROL, OR SUPERVISION OF MINORS, JUVENILE DELINQUENTS, AND YOUTHFUL OFFENDERS WHO ARE COMMITTED, DETAINED, AWAITING PLACEMENT, ADJUDICATED DELINQUENT, OR ARE OTHERWISE UNDER THE SUPERVISION OF THE DEPARTMENT OF JUVENILE SERVICES.

(2) "Department of Juvenile Services employee" includes an employee of any nonprofit or for-profit entity under contract with the Department of Juvenile Services whose employment responsibility is the investigation, custody, control, or supervision of minors, juvenile delinquents, and youthful offenders as described under paragraph (1) of this subsection.

(i) "Permanent appointment" means an appointment that has permanent status.

Article – State Personnel and Pensions

25–201.

(a) Except as provided in subsection (b) of this section, this subtitle applies only to:

(1) correctional officers serving in any of the first six job classifications;

(2) security attendants at Clifton T. Perkins Hospital Center;

(3) a detention center officer employed by a participating governmental unit that on or after July 1, 2006, has elected to participate in the Correctional Officers' Retirement System;

(4) an individual serving as a correctional dietary, maintenance, laundry, or supply officer;

(5) an individual serving as a Maryland Correctional Enterprises officer, officer trainee, plant supervisor, plant manager, or regional manager;

(6) a correctional officer serving as a security chief, a facility administrator, an assistant warden, or a warden who:

- (i) begins employment in that position on or after July 1, 2014; or
 - (ii) is serving in that position on June 30, 2014, and elects to transfer to the Correctional Officers' Retirement System from:
 - 1. the Employees' Pension System on or before December 31, 2014; or
 - 2. the Employees' Retirement System on or before December 31, 2015;
- (7) an individual serving as a correctional case management specialist, supervisor, or manager on or after July 1, 2016;
- (8) an individual serving as a parole and probation agent, supervisor, or regional administrator on or after July 1, 2017;
- (9) an individual serving as a Department of Public Safety and Correctional Services employee in one of the following positions on or after July 1, 2017:
 - (i) an alcohol and drug:
 - 1. associate counselor, counselor lead, counselor provisional, or counselor supervisor;
 - 2. professional counselor, counselor provisional, or counselor supervisor;
 - or
 - 3. supervised counselor or counselor provisional;
 - (ii) a mental health professional counselor, graduate professional counselor, professional counselor advanced, or professional supervisor;
 - (iii) a psychologist, psychology associate, or psychology associate doctorate;
 - (iv) a social worker, social worker advanced, social worker supervisor, or social work regional supervisor; or
 - (v) a recreation officer or supervisor;
- (10) an individual serving as a Department of Juvenile Services employee in one of the following positions on or after July 1, 2018:
 - (i) a community detention officer or community detention supervisor;
 - (ii) a youth transportation officer, youth transportation officer lead, youth transportation officer supervisor, or youth transportation officer trainee;
 - (iii) a resident advisor, resident advisor lead, resident advisor supervisor, or resident advisor trainee; or
 - (iv) a youth recreation specialist; and
- (11) an individual serving as a Department of Public Safety and Correctional Services employee in one of the following positions on or after July 1, 2018:
 - (i) a parole and probation assistant regional administrator;
 - (ii) a psychology services chief;
 - (iii) a correctional maintenance officer supervisor;
 - (iv) a correctional maintenance officer manager;
 - (v) a correctional maintenance services officer;
 - (vi) a correctional maintenance services supervisor; or
 - (vii) a correctional maintenance services manager; AND
- (12) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE SERVICES EMPLOYEE IN ONE OF THE FOLLOWING POSITIONS ON OR AFTER JULY 1, 2021:
 - (I) DIRECT FACILITY EDUCATION STAFF.

(b) This subtitle does not apply to:

(1) an employee of the Baltimore City Jail as of June 30, 1991, who:

(i) became an employee of the Baltimore City Detention Center on July 1, 1991;
and

(ii) did not elect to become a member of the Correctional Officers' Retirement System on that date;

(2) a detention center officer employed by a participating governmental unit as a local detention center officer on the effective date of participation on or after July 1, 2006, who did not elect to become a member of the Correctional Officers' Retirement System within 6 months of the effective date of participation; or

(3) a correctional officer serving as a security chief, a facility administrator, an assistant warden, or a warden who is in that position on June 30, 2014, and does not elect to transfer membership to the Correctional Officers' Retirement System from:

(i) the Employees' Pension System on or before December 31, 2014; or

(ii) the Employees' Retirement System on or before December 31, 2015.

SUBTITLE 5. DEPARTMENT OF JUVENILE SERVICES EDUCATION BOARD

9-501

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BOARD" MEANS THE JUVENILE SERVICES EDUCATION BOARD.

(C) "SUPERINTENDENT" MEANS THE SUPERINTENDENT OF THE DEPARTMENT OF JUVENILE SERVICES EDUCATIONAL PROGRAMS.

(D) "FACILITY" MEANS A BUILDING OR BUILDINGS AND RELATED PHYSICAL INFRASTRUCTURE AT A GEOGRAPHICALLY DISTINCT LOCATION AT WHICH THE DEPARTMENT OF JUVENILE SERVICES OPERATES A PROGRAM.

(E) "DEPARTMENT" MEANS THE DEPARTMENT OF JUVENILE SERVICES.

(F) "RESIDENTIAL FACILITY" MEANS A FACILITY ESTABLISHED UNDER [SECTION 9-226 OF THE HUMAN SERVICES ARTICLE](#).

9-502

THERE IS A JUVENILE SERVICES EDUCATION BOARD WITHIN THE DEPARTMENT.

9-503

(A) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

- (1) THE SECRETARY OF JUVENILE SERVICES;
- (2) THE SECRETARY OF HIGHER EDUCATION;
- (3) THE STATE SUPERINTENDENT OF SCHOOLS;
- (4) A REPRESENTATIVE OF THE PUBLIC SCHOOLS SUPERINTENDENTS ASSOCIATION OF MARYLAND, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE;
- (5) THE ATTORNEY GENERAL OF THE STATE, OR THEIR DESIGNEE; AND
- (6) SIX MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

(B) THE APPOINTED MEMBERS OF THE BOARD SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN AT LEAST ONE OF THE FOLLOWING AREAS:

- (1) TEACHING OR EDUCATIONAL ADMINISTRATION;
- (2) PRIOR SERVICE ON THE STATE BOARD OR A COUNTY BOARD
- (3) SOCIAL WORK;
- (4) SERVICES FOR INDIVIDUALS WITH DISABILITIES;
- (5) WORKING WITH INSTITUTIONALIZED YOUTH;
- (6) MENTAL OR BEHAVIORAL HEALTH SERVICES;
- (7) CIVIL RIGHTS ADVOCACY OR LAW;
- (8) DIGITAL LEARNING OR ONLINE ADMINISTRATION; OR
- (9) HIGHER EDUCATION ADMINISTRATION.

(C) (1) THE TERM OF A MEMBER WHO IS APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS 4 YEARS.

(2) (I) AT THE END OF A TERM, A MEMBER WHO WAS APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(II) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) TO THE EXTENT PRACTICABLE, THE GOVERNOR SHALL FILL ANY VACANCY FOR AN APPOINTED MEMBER ON THE BOARD WITHIN 60 DAYS OF THE DATE OF THE VACANCY.

(D) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER ONLY FOR CAUSE.

(E) THE BOARD SHALL ELECT FROM AMONG ITS MEMBERS A CHAIR AND A VICE CHAIR.

9-504

(A) BEGINNING JULY 1, 2021, THE BOARD SHALL OVERSEE AND APPROVE ALL EDUCATIONAL SERVICES TO ALL JUVENILES WHO ARE IN A RESIDENTIAL FACILITY.

(B) THE BOARD SHALL:

(1) DEVELOP, RECOMMEND, AND APPROVE AN EDUCATIONAL PROGRAM FOR EACH RESIDENTIAL FACILITY.

(I) EACH EDUCATIONAL PROGRAM SHALL:

(1) MEET THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE JUVENILES IN THE RESIDENTIAL FACILITY; AND

(2) BE ACCREDITED BY AN APPROVED ACCREDITING AGENCY.

(2) (I) IN CONSULTATION WITH THE JUVENILE JUSTICE MONITOR AND THE DEPARTMENT, DEVELOP MINIMUM STANDARDS AND A REPORTING STRUCTURE TO MEASURE EDUCATIONAL OUTCOMES AND IMPLEMENTATION OF THE JUVENILE SERVICES EDUCATION PROGRAM.

(II) THE BOARD SHALL REVIEW A QUALITY ASSURANCE REPORT DEVELOPED BY THE DEPARTMENT EACH QUARTER.

- (3) (I) CONDUCT A PERFORMANCE REVIEW OF THE SUPERINTENDENT AT LEAST EVERY FOUR YEARS.

(C) THE BOARD SHALL APPROVE POSTSECONDARY EDUCATION PROGRAMS, INCLUDING VOCATIONAL AND ONLINE PROGRAMS, WHICH MEET THE NEEDS OF THE JUVENILES IN A RESIDENTIAL FACILITY.

(D) THE BOARD MAY ADOPT REGULATIONS IN ACCORDANCE WITH PROVISIONS OF LAW AND REGULATIONS GOVERNING THE CONDUCT AND MANAGEMENT OF EDUCATIONAL PROGRAMS IN THE STATE.

(E) ANY ACTION BY THE BOARD SHALL REQUIRE:

- (1) A QUORUM OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING; AND
- 2) THE AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING.

(F) EACH APPOINTED MEMBER OF THE BOARD IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE DEPARTMENT SHALL STAFF THE BOARD.

9-505

(A) THE BOARD SHALL MEET IN THE STATE AT LEAST ONCE PER MONTH AND AT THE TIMES DETERMINED BY:

- (1) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE BOARD;
- (2) THE CHAIRPERSON OF THE BOARD; OR
- (3) THE SECRETARY.

(B) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE BOARD IS A QUORUM.

(C) THE BOARD SHALL:

(1) MAINTAIN MINUTES OF ITS MEETINGS AND ANY OTHER RECORDS THAT IT CONSIDERS NECESSARY; AND

(2) PROVIDE INFORMATION, ON REQUEST, REGARDING THE BUDGET, ACTIVITIES, AND PROGRAMS OF THE BOARD.

(3) ALLOW TIME FOR PUBLIC COMMENT AT EACH OF ITS MEETINGS

9-506

(A) THE BOARD SHALL APPOINT A JUVENILE SERVICES EDUCATION SYSTEM SUPERINTENDENT.

(B) THE SYSTEM SUPERINTENDENT SHALL:

(1) IMPLEMENT AND ADMINISTER THE EDUCATIONAL PROGRAMS APPROVED BY THE BOARD;

(2) OVERSEE THE EDUCATION OF EVERY JUVENILE IN A RESIDENTIAL FACILITY;

(3) MEET WITH AND ADVISE THE BOARD ABOUT EDUCATIONAL PROGRAMS AND OUTCOMES FOR JUVENILES;

(4) SELECT, ORGANIZE, AND DIRECT THE STAFF OF THE JUVENILE SERVICES EDUCATION SYSTEM;

(5) SEE THAT THE POLICIES AND DECISIONS OF THE COMMISSION ARE CARRIED OUT; AND

(6) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.

(C) THE SYSTEM SUPERINTENDENT:

(1) IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET;

(2) SERVES AT THE PLEASURE OF THE BOARD.

(D) THE SUPERINTENDENT MAY HIRE ADDITIONAL DEPARTMENT STAFF TO ADMINISTER AND PROVIDE EDUCATIONAL SERVICES WITHIN THE DEPARTMENT AS PROVIDED IN THE STATE BUDGET.

SUBTITLE 6. DEPARTMENT OF JUVENILE SERVICES EDUCATION PROGRAM

9-601

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BOARD" MEANS THE JUVENILE SERVICES EDUCATION BOARD.

(C) "SUPERINTENDENT" MEANS THE SUPERINTENDENT OF THE DEPARTMENT OF JUVENILE SERVICES EDUCATIONAL PROGRAMS.

(D) "FACILITY" MEANS A BUILDING OR BUILDINGS AND RELATED PHYSICAL INFRASTRUCTURE AT A GEOGRAPHICALLY DISTINCT LOCATION AT WHICH THE DEPARTMENT OF JUVENILE SERVICES OPERATES A PROGRAM.

(E) "DEPARTMENT" MEANS THE DEPARTMENT OF JUVENILE SERVICES.

(F) "RESIDENTIAL FACILITY" MEANS A FACILITY ESTABLISHED UNDER [SECTION 9-226 OF THE HUMAN SERVICES ARTICLE](#).

9-602

THERE IS A JUVENILE SERVICES EDUCATION PROGRAM WITHIN THE DEPARTMENT.

9-603

(A) (1) BEGINNING JULY 1, 2021, THE DEPARTMENT, SUBJECT TO THE AUTHORITY OF THE BOARD AND SUPERINTENDENT, SHALL HAVE THE AUTHORITY AND RESPONSIBILITY FOR IMPLEMENTING THE JUVENILE SERVICES EDUCATIONAL PROGRAMS IN THE STATE.

(2) THE DEPARTMENT, SUBJECT TO THE AUTHORITY OF THE BOARD AND SUPERINTENDENT, SHALL OVERSEE AND PROVIDE FOR EDUCATIONAL SERVICES TO ALL JUVENILES WHO ARE IN A RESIDENTIAL FACILITY.

(B) (1) THE DEPARTMENT SHALL IMPLEMENT AN EDUCATIONAL PROGRAM FOR EACH RESIDENTIAL FACILITY AS APPROVED BY THE JUVENILE SERVICES EDUCATION BOARD.

(2) EACH EDUCATIONAL PROGRAM SHALL:

(I) MEET THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE JUVENILES IN THE RESIDENTIAL FACILITY; AND

(II) BE ACCREDITED BY AN APPROVED ACCREDITING AGENCY.

(C) THE DEPARTMENT SHALL EMPLOY THE STAFF NECESSARY TO CARRY OUT THE JUVENILE SERVICES EDUCATION PROGRAM AS PROVIDED IN THE STATE BUDGET.

(1) EDUCATIONAL STAFF IN THE JUVENILE SERVICES EDUCATION PROGRAM SHALL BE SUBJECT TO AND ELIGIBLE FOR THE CAREER LADDER AND SALARY PROVISIONS OF THE BLUEPRINT FOR MARYLAND'S FUTURE

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS IN ACCORDANCE WITH PROVISIONS OF LAW AND REGULATIONS GOVERNING THE CONDUCT AND MANAGEMENT OF EDUCATIONAL PROGRAMS IN THE STATE.

(E) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT FROM CONTRACTING WITH A NON-PROFIT PRIVATE PARTY OR COUNTY BOARD OF EDUCATION TO PROVIDE EDUCATIONAL SERVICES FOR STUDENTS IN THE RESIDENTIAL FACILITIES OF THE DEPARTMENT.

9-604

(A) (1) A JUVENILE IN THE CUSTODY OF THE DEPARTMENT OF JUVENILE SERVICES WHO IS ENROLLED IN A SCHOOL AT THE TIME THE JUVENILE IS TAKEN INTO CUSTODY MAY NOT BE DISENROLLED FROM THAT SCHOOL UNTIL AFTER DISPOSITION OF THE JUVENILE'S CASE.

(2) THE PUBLIC SCHOOL IN WHICH A JUVENILE IS ENROLLED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL PROVIDE THE JUVENILE SERVICES EDUCATION PROGRAM WITH THE EDUCATIONAL MATERIALS NECESSARY TO REMAIN CURRENT WITH THE JUVENILE'S EDUCATIONAL PROGRAM AT THE SCHOOL.

(3) (I) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD AND THE COUNTY BOARDS, SHALL DEVELOP AND IMPLEMENT A PROCEDURE TO TRANSFER A COPY OF THE EDUCATION RECORDS OF A JUVENILE FROM THE SCHOOL IN WHICH THE JUVENILE IS ENROLLED TO THE FACILITY IN WHICH THE JUVENILE IS PLACED WITHIN THREE DAYS OF NOTICE THAT THE JUVENILE IS RECEIVING SERVICES IN THE DEPARTMENT OF JUVENILE SERVICES EDUCATION PROGRAM.

(II) THE EDUCATION RECORDS TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE A COPY OF:

1. AN INDIVIDUALIZED EDUCATION PROGRAM;
2. A 504 PLAN;
3. RECORDS FROM AN ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL) PROGRAM; OR
4. ANY OTHER RELEVANT DOCUMENTS AND INFORMATION.

(B) THE DEPARTMENT, IN CONSULTATION WITH THE COUNTY BOARDS, SHALL DEVELOP AND IMPLEMENT A PROCEDURE FOR THE RE-ENROLLMENT OF A

SCHOOL-AGED JUVENILE IN A PUBLIC OR PRIVATE SCHOOL BEFORE THE JUVENILE IS RELEASED FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE SERVICES.

- (C) THE DEPARTMENT SHALL DEVELOP AN EDUCATIONAL PLAN FOR EACH STUDENT IN ITS CUSTODY FOR LONGER THAN 4 WEEKS.
- (D) THE PLAN DEVELOPED UNDER SUBSECTION C OF THIS SECTION SHALL INCLUDE SPECIFIC GOALS FOR A STUDENT THAT ARE DESIGNED TO MEET THAT STUDENT'S INDIVIDUAL NEEDS AND ENSURE, TO THE EXTENT PRACTICABLE, THAT THE STUDENT IS ABLE TO SEAMLESSLY REINTEGRATE INTO THEIR HOME SCHOOL.
- (E) (1) THE DEPARTMENT SHALL OFFER A MINIMUM OF 2.5 HOURS PER WEEKDAY OF POSTSECONDARY EDUCATION PROGRAMS, INCLUDING VOCATIONAL AND ONLINE PROGRAMS, TO JUVENILES WHO HAVE:
 - (I) GRADUATED FROM HIGH SCHOOL; OR
 - (II) OBTAINED A HIGH SCHOOL DIPLOMA BY EXAMINATION IN ACCORDANCE WITH § 11-808 OF THE LABOR AND EMPLOYMENT ARTICLE.
- (2) THE DEPARTMENT MAY CONTRACT WITH A NON-PROFIT PRIVATE PARTY, COMMUNITY COLLEGE, OR OTHER INSTITUTION OF POSTSECONDARY EDUCATION IN THE STATE TO PROVIDE THE PROGRAMS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.
- (F) A COUNTY BOARD SHALL WAIVE ALL HIGH SCHOOL GRADUATION REQUIREMENTS, INCLUDING REQUIRED COURSEWORK, ESTABLISHED BY THE COUNTY BOARD THAT ARE IN ADDITION TO THE HIGH SCHOOL GRADUATION REQUIREMENTS ESTABLISHED BY THE STATE BOARD FOR A YOUTH WHO WAS COMMITTED FOR OUT-OF-HOME PLACEMENT TO THE DEPARTMENT OF JUVENILE SERVICES, IF THE STUDENT WHILE IN GRADE 11 OR 12 TRANSFERS INTO THE LOCAL SCHOOL SYSTEM FROM THAT PLACEMENT.

9-605

(A) IN THIS SECTION, "BASIC COST" MEANS THE AVERAGE AMOUNT SPENT BY A COUNTY BOARD FROM COUNTY AND STATE FUNDS FOR THE PUBLIC EDUCATION OF A NONDISABLED CHILD.

(B) A COUNTY BOARD SHALL REIMBURSE THE DEPARTMENT OF JUVENILE SERVICES THE AMOUNT OF THE BASIC COST CALCULATED UNDER SUBSECTION (A) OF THIS SECTION FOR EACH CHILD WHO WAS DOMICILED IN THE COUNTY PRIOR TO THE PLACEMENT IF THE CHILD:

- (1) IS IN A FACILITY OR A RESIDENTIAL FACILITY;
- (2) IS IN DETENTION FOR 15 CONSECUTIVE DAYS OR MORE;
- (3) DOES NOT MEET THE CRITERIA FOR SHARED STATE AND LOCAL PAYMENT OF EDUCATIONAL COSTS AS PROVIDED IN SECTIONS 8-406 AND 8-415 OF THIS ARTICLE; AND
- (4) WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER SECTION 5-202 OF THIS ARTICLE.

9-606

(A) ON OR BEFORE DECEMBER 1, 2021, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR, AND IN ACCORDANCE WITH 2-1257 OF THE STATE GOVERNMENT ARTICLE OF THE GENERAL ASSEMBLY ON THE AGGREGATE EDUCATIONAL OUTCOMES OF THE EDUCATIONAL PROGRAM FOR EACH RESIDENTIAL FACILITY.

(B) THE BOARD SHALL BE SUBJECT TO:

- (1) AUDITS BY THE OFFICE OF LEGISLATIVE AUDITS IN THE DEPARTMENT OF LEGISLATIVE SERVICES.
- (2) INVESTIGATION BY THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.
- (3) OVERSIGHT AND MONITORING BY THE MARYLAND STATE DEPARTMENT OF EDUCATION AND THE MARYLAND STATE BOARD OF EDUCATION.

Article – State Government

6-404.

The Unit shall:

- (1) evaluate at each facility:
 - (i) the child advocacy grievance process;
 - (ii) the Department's monitoring process;
 - (iii) the treatment of and services to youth;

(iv) the physical conditions of the facility; and

(v) the adequacy of staffing;

(2) review all reports of disciplinary actions, grievances, and grievance dispositions received from each facility and alterations in the status or placement of a child that result in more security, additional obligations, or less personal freedom;

(3) receive copies of the grievances submitted to the Department;

(4) perform unannounced site visits and on-site inspections of facilities;

(5) receive and review all incident reports submitted to the Department from facilities;

(6) receive reports of the findings of child protective services investigations of allegations of abuse or neglect of a child in a facility;

(7) ensure that each facility is in compliance with the regulations applicable to residential facilities;

(8) MONITOR THE IMPLEMENTATION OF EDUCATIONAL PROGRAMMING AT EACH DEPARTMENTAL RESIDENTIAL FACILITY;

[(8)] (9) collaborate with the Department, the Department of Human Services, the Maryland Department of Health, and the Governor's Office for Children in all matters related to the licensing and monitoring of children's residential facilities; and

[(9)] (10) have a representative available to attend meetings of the advisory boards established under Section 9-230 of the Human Services Article AND MEETINGS OF THE JUVENILE SERVICES EDUCATION BOARD ESTABLISHED UNDER SECTION 9-502 OF THE HUMAN SERVICES ARTICLE.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 1, 2020, the Department of Juvenile Services and the Maryland State Department of Education shall submit to the General Assembly, in accordance with 2-1257 of the State Government Article, a report detailing plans for the transition of juvenile services educational programs to the Department of Juveniles Services for the Department of Juveniles Services Education Program established under Section 2 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of any collective bargaining agreement for staff in the Juvenile Services Education Program shall continue to apply until the bargaining unit and the State negotiate a new collective bargaining agreement. [or language to that effect]

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020.

SECTION 6. AND BE IT FURTHER ENACTED, That the members of the Board shall be appointed and convene their first monthly meeting by August 1, 2020.