

Karen B. Salmon, Ph.D. State Superintendent of Schools

BILL: HB 1513 **DATE:** March 3, 2020

SUBJECT: Education – Juvenile Services **COMMITTEE:** Ways and Means and

Education System – Establishment, Judiciary

Powers and Duties
Information Only

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Summary of Maryland House Bill 1513

House Bill 1513 (HB 1513) proposes to remove the oversight of the Juvenile Services Education System (JSES) from the Maryland State Department of Education (MSDE) and establish a State Board of Education to oversee the functions of JSES. This Bill establishes a state Board of Education (Board) and outlines the Board's requirements for oversight of JSES. The Bill mandates the appointment of a superintendent, who will oversee all JSES functions including, but not limited to, the implementation and administration of educational programs and the education of each juvenile under supervision. The Bill further mandates that all educational programs provided by the Board be accredited and meet the special needs and circumstances of all juveniles under supervision. The bill also requires:

- 1) youth to maintain enrollment with their local school/home schools until their case is disposed of;
- 2) the youths' current school must provide the juvenile with any necessary educational materials to continue education during their predisposition stay in a detention facility;
- 3) post-secondary and vocational training for youths who have completed high school or obtained a GED; and
- 4) in addition, requires an annual report on student outcomes.

The Bill includes language allowing, but not mandating, the Board to contract with local school districts and community colleges to provide educational services. Finally, the Bill mandates the development and implementation of re-enrollment procedures prior to a juvenile's release to facilitate readmission to their local school system.

Background:

Historically, states have encountered difficulties in providing the same quality of education for incarcerated youth compared to the quality of education for youth in public schools. While the federal court decisions consistently mandate that states provide high quality education services to incarcerated youth, how this provision of high quality education was to be accomplished is left up to the states. Current research continually demonstrates that regardless of the administrative/delivery model, successful models must be able to provide high quality teachers and retain these teachers through competitive salaries and work schedules, provide individualized instruction, partnership with local school systems, the need for data driven decisions, and efficient transition services for youth that prepares them for the return to their schools, homes, and communities upon release from either detention or commitment programs.

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Overview of Current Initiatives

In realization of these unique challenges, the MSDE and the Florida State University (FSU) College of Criminology and Criminal Justice developed a partnership to evaluate and improve the quality of juvenile justice education in Maryland. The lead consultant has experience and expertise as an advisor to the U.S. House of Representatives, U.S. Senate, U.S. Department of Justice, numerous state legislative committees, and foreign governments. This evaluation is intended to address and ameliorate concerns highlighted by the MSDE, recent litigation, and public scrutiny. Specifically, FSU is assisting the MSDE with overcoming past difficulties and becoming one of the exemplary juvenile justice education programs in the country.

FSU is currently conducting a comprehensive assessment of the current state of juvenile justice education in Maryland. As part of this process, FSU is working with JSES to develop and implement a research-driven accountability system to improve the educational services provided to youth in the state's juvenile justice system. Through the partnership, FSU and JSES seeks to ensure that the state's juvenile justice educational programs provide quality services that prepare young people for the transition back to their local communities, schools, work, and home settings.

The partnership encompasses three distinct phases of research and planning. Namely, discovery, implementation, and validation. Phase I (Discovery) is focused upon evaluating and assessing Maryland's current juvenile justice education system. Phase I includes a full analysis of the JSES system including onsite reviews of all 13 JSES facilities. The onsite reviews include an assessment of student information and the educational services provided which includes transition services, curriculum and instruction, staffing, and educational resources. Researchers review personnel information, conduct classroom observations, and interview administrators, teachers, and students. Interviews with educational personnel focus upon school policies, procedures, activities, and the individuals' perceptions of the quality of educational services provided in the program. Interviews with students focus on their educational needs and the services they are receiving in JSES. Phase I also involves the collection and analysis of identified administrative MSDE, JSES, and Department of Juvenile Services data to determine student educational needs, and current educational performance. Phase I will conclude with a detailed report including overall findings, an analysis of the current status of education provided in JSES schools, and recommendations aimed at informing the development of a research-driven accountability system for JSES. The Phase I report will be complete in May 2020.

Phase II (Implementation) will use the information and findings from Phase I to assist Maryland in developing and implementing a research-driven accountability system for juvenile justice education services. The ultimate goal of the partnership is capacity building that will ensure a high quality and effective education is provided for Maryland's juvenile justice youth, thereby, increasing the likelihood for post release and lifelong success. Following the validation of the accountability program, Maryland's JSES, however administered, will be able to assume complete operational responsibility for an exemplary evidence-based juvenile justice education system.

Phase II (Implementation) will use the information and findings from Phase I to assist Maryland in developing and implementing a research-driven accountability system for juvenile justice education services. During Phase II FSU will incorporate input from MSDE and JSES administrators. Administrative input will guide the development of a comprehensive research-driven accountability program for the Maryland's juvenile justice education system. FSU will identify the strengths and weaknesses of Maryland's current system, recommend an evidence-based accountability system, and assist with its statewide implementation. Areas of accountability will include, but not be limited to, assessment, transition services, special education services, staff qualifications, funding, educational resources, and remedial, academic, vocational, and postsecondary curriculum and instruction.

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Phase III (Validation) will assess and validate the effectiveness of the research-driven accountability pilot initiative. Phase III will focus on validating the research-driven accountability system developed in Phase II. FSU will guide and assist JSES with developing data collection procedures and analytical methods for determining programs and student performance. Program performance will be measured through indicators such as staff qualifications and turnover, school funding and educational resources, identification of special education students, aligning course offerings to student needs, and increased transition services. Student performance will be measured by outcomes such as credits earned in JSES, academic gains while in JSES, graduation rates of JSES, return to school post-release, and recidivism.

Recommendation

This letter of information provides a fact-based context of major JSES initiatives listed below.

- ✓ The need to develop partnerships with local school systems
- ✓ The need to develop and implement an evidence-based accountability system
- ✓ The ability to hire and retain high quality teachers with competitive and commensurate salaries and teacher contracts that account for year-round school calendars as compared with teachers in local school districts. (The MSDE introduced Senate Bill 75 on January 9, 2019, to address these issues, however, the Bill did not move out of committee)
- ✓ The ability to provide education transition services that are directed by educational personnel and coordinated with youths' local school districts
- ✓ The use of student performance measures and student outcomes to guide programming decisions
- ✓ The need for meaningful year-round academic curriculum and vocational education opportunities based on students' abilities, interests.

As a result of recognition of these major initiatives, in the summer of 2019, MSDE JSES proactively established a research and policy partnership with FSU to identify, implement, and validate responsive national best practice services and programs in detention and committed programs. FSU will provide national data driven research in determining the best administrative/delivery model for these vital educational services and programs.

Therefore, the MSDE recommends in depth consideration of the timing of any change in the current administrative/delivery system for JSES. Underlying this recommendation is the reasoning that in order to make fully informed decisions about the administrative/delivery structure for JSES results from the current Pilot with Montgomery County Public Schools and the partnership with Florida State University is needed.