

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

House Bill 1084 (Delegates Shriver and Vallario)  
Ways and Means

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**Juvenile Justice Alternative Education Programs - Suspended and Expelled  
Students**

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This bill requires the local boards of education in Baltimore City and Anne Arundel, Baltimore, Montgomery, and Prince George's counties to establish a juvenile justice education program for public school students who are suspended or expelled from school. The Maryland State Department of Education (MSDE) must adopt regulations to implement the program. MSDE must report to the Governor and the General Assembly on the implementation of the program.

The bill takes effect October 1, 2000, and sunsets September 30, 2004.

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**Fiscal Summary**

**State Effect:** General fund expenditures could increase by \$4.4 million annually beginning in FY 2003. General fund revenues would not be affected.

**Local Effect:** Local school expenditures could increase by \$85 million annually beginning in FY 2001. Revenues would not be affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal.

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## Analysis

**Bill Summary:** This bill requires the local boards of education in Baltimore City and Anne Arundel, Baltimore, Montgomery, and Prince George's counties to establish a juvenile justice education program for public school students who are suspended or expelled from school. The juvenile justice alternative education program must (1) provide programs designed to promote self-discipline and to reduce disruptive behavior in the school environment; (2) ensure that a student continues to receive appropriate educational and related services during the term of the suspension or expulsion; and (3) offer services to facilitate a student's transition back to school. A regional program could be developed for joint use by different school systems.

**Current Law:** Local boards of education are required to provide a continuum model of prevention and intervention activities and programs that encourage and promote positive behavior and reduce disruption. Each local board must develop special programs for students who exhibit disruptive classroom behavior. Two or more local boards may establish special programs for their joint use.

**Background:** Several alternative education programs have been developed by local school systems. Annapolis Road Middle School provides an alternative education program for disruptive students in grades six through eight. The school serves 60 students in six counties (Anne Arundel, Calvert, Charles, Howard, Montgomery, and Prince George's) at an average cost per student of \$23,500 for instruction and \$5,300 for transportation. State funding for this program totals \$1.6 million in fiscal 2001.

**Local Fiscal Effect:** Establishing a juvenile justice education program for all public school students in Baltimore City and Anne Arundel, Baltimore, Prince George's, and Montgomery counties who are suspended or expelled from school would cost approximately \$85 million each year. The program must accommodate students serving both an extended suspension or expulsion and a short-term suspension. Local boards in the five counties suspended approximately 65,200 non-disabled students, of whom 5,000 involved a suspension of ten or more days. Over 90% of the suspensions were for less than ten days. Accordingly, most of the students served under this alternative program would return to their traditional public school within a week of entering the program.

For purposes of this fiscal note, it is assumed that 90% of the suspensions are for five days, 5% are for ten days, 4% are for 30 days, and 1% are for the entire year (expulsion). To accommodate these students, the alternative program must have at least 2,900 slots. Based on the average per-pupil cost at the Annapolis Roads Middle School, local instructional expenditures could increase by \$70 million and student transportation costs could increase by

\$15 million. Approximately \$40 million of the local instructional expenditures are for teachers' salaries. In sum, local school expenditures could increase by \$85 million each year. The potential impact on each school system is illustrated in the following table.

<u>County</u>	<u>Suspensions and Expulsions</u>	<u>Percent of Total</u>	<u>Estimated Share of Program Costs</u>
Anne Arundel	8,300	13%	\$11 million
Baltimore City	20,400	31%	\$26 million
Baltimore	13,600	21%	\$18 million
Montgomery	4,500	7%	\$6 million
Prince George's	18,400	28%	\$24 million
<b>Total</b>	<b>65,200</b>	<b>100%</b>	<b>\$85 million</b>

**State Effect:** The State is responsible for paying the teachers' retirement costs for certain school employees. Based on an additional \$40 million teacher salary base and a 10.95% employer contribution rate, State expenditures would increase by \$4.4 million each year. Since the State payments for teachers' retirement costs are based on the teachers' salary base in the second prior year, State expenditures will not increase until fiscal 2003.

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced in the 1999 session as HB 588 and received an unfavorable report from the House Ways and Means Committee.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - February 22, 2000  
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