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By: **Delegates Montague, Doory, Grosfeld, Dembrow, Zirkin, and McIntosh**  
Introduced and read first time: February 5, 2001  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2                                   **State Board of Education - Education in Juvenile Justice Facilities -**  
3                                   **Control and Supervision**

4 FOR the purpose of requiring the State Board of Education to exercise general control  
5 and supervision under certain guidelines over schools in Department of Juvenile  
6 Justice facilities; substituting the State Board of Education for the Department  
7 of Juvenile Justice as the entity required to develop and provide certain  
8 educational programs in each facility of the Department of Juvenile Justice;  
9 altering the duties of the State Advisory Board for Juvenile Justice; and  
10 generally relating to operating schools in Department of Juvenile Justice  
11 facilities.

12 BY repealing and reenacting, with amendments,  
13 Article 83C - Juvenile Justice  
14 Section 2-103(c)(6), 2-110, and 2-118(e)  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume and 2000 Supplement)

17 BY adding to  
18 Article 83C - Juvenile Justice  
19 Section 2-118(f)  
20 Annotated Code of Maryland  
21 (1998 Replacement Volume and 2000 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article - Education  
24 Section 2-205(g)  
25 Annotated Code of Maryland  
26 (1999 Replacement Volume and 2000 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
28 MARYLAND, That the Laws of Maryland read as follows:

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**Article 83C - Juvenile Justice**

2 2-103.

3 (c) (6) All teachers, principals, directors of education, and supervisors of  
4 vocational education who are employed [by] TO WORK IN institutions managed by the  
5 Department are in the management service or are special appointments in the State  
6 Personnel Management System.

7 2-110.

8 In addition to the duties set forth elsewhere in this article, the State Advisory  
9 Board shall:

- 10 (1) Consult with and advise the Secretary on[:
- 11 (i) Each] EACH aspect of the juvenile justice program in this State;  
12 [and
- 13 (ii) The educational programs and services of the Department;]
- 14 (2) Recommend to the Secretary policies and programs to improve  
15 juvenile justice in this State;
- 16 (3) Participate in interpreting for the public the objectives of the  
17 Department; and
- 18 (4) Participate in planning the development and use of available  
19 resources to meet the needs of the Department.

20 2-118.

21 (e) The Department shall develop and provide within each facility:

- 22 (1) [Educational programs that are designed to meet the particular  
23 needs of its population;
- 24 (2)] Alcohol abuse and drug abuse assessment services; and
- 25 [(3)] (2) Either alcohol abuse and drug abuse referral services or an  
26 alcohol abuse and drug abuse treatment program that has been certified in  
27 accordance with the requirements of Title 8 of the Health - General Article.

28 (F) THE STATE BOARD OF EDUCATION SHALL DEVELOP AND PROVIDE IN  
29 EACH FACILITY EDUCATIONAL PROGRAMS THAT ARE DESIGNED TO MEET THE  
30 PARTICULAR NEEDS OF THE POPULATION OF THE FACILITY, AS PROVIDED UNDER §  
31 2-205(G)(5) OF THE EDUCATION ARTICLE.

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**Article - Education**

2 2-205.

3 (g) (1) This subsection does not apply to Baltimore City to the extent that it  
4 relates to matters that are the subject of other provisions of this article that do not  
5 apply to Baltimore City.

6 (2) Through the State Superintendent, the State Board shall exercise  
7 general control and supervision over the public schools and educational interests of  
8 this State.

9 (3) Through the State Superintendent, the Board shall consult with and  
10 advise county boards, county superintendents and their staffs, principals, teachers,  
11 and interested citizens.

12 (4) The Board shall seek in every way to direct and develop public  
13 sentiment in support of public education.

14 (5) (I) THROUGH THE STATE SUPERINTENDENT, THE STATE BOARD  
15 SHALL EXERCISE GENERAL CONTROL AND SUPERVISION OVER SCHOOLS IN  
16 DEPARTMENT OF JUVENILE JUSTICE FACILITIES FOR STUDENTS WHO ARE UNDER  
17 THE SUPERVISION AND CONTROL OF THE DEPARTMENT OF JUVENILE JUSTICE.

18 (II) IN OPERATING SCHOOLS UNDER THIS PARAGRAPH, THE STATE  
19 BOARD SHALL:

20 1. DEVELOP AND PROVIDE IN EACH FACILITY EDUCATIONAL  
21 PROGRAMS THAT ARE DESIGNED TO MEET THE PARTICULAR NEEDS OF THE  
22 POPULATION OF THE FACILITY; AND

23 2. HAVE ALL OF THE RIGHTS, PRIVILEGES, AND  
24 RESPONSIBILITIES OF A COUNTY BOARD, UNLESS THE CONTEXT REQUIRES  
25 OTHERWISE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 June 1, 2001.