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By: **Delegates Zirkin, Vallario, Montague, Hutchins, Giannetti, Cole,  
Grosfeld, Carlson, Morhaim, Barkley, and Finifter**

Introduced and read first time: February 9, 2001

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Justice - Summer Opportunity Program -**  
3 **Establishment**

4 FOR the purpose of establishing the Summer Opportunity Program under the  
5 Department of Juvenile Justice; authorizing certain persons to develop a certain  
6 proposal; requiring a certain county board of education to review a certain  
7 proposal; authorizing a county board to alter a proposal and to forward a  
8 proposal to the Department for approval; requiring the Department, in  
9 consultation with the State Board of Education, to review certain proposals and  
10 select proposals based on certain priorities; requiring the Department to  
11 distribute certain funds for certain purposes to a county board under certain  
12 circumstances; authorizing a county board to include certain curriculum or  
13 activities in a proposal; requiring a county board to include a certain estimate in  
14 a proposal; requiring the Governor to include funds in the State budget to  
15 implement the Program; providing that certain funding for the Program may  
16 not supplant certain other existing funding; requiring the Department to adopt  
17 certain regulations; defining certain terms; and generally relating to the  
18 Summer Opportunity Program under the Department of Juvenile Justice.

19 BY repealing and reenacting, with amendments,  
20 Article 83C - Juvenile Justice  
21 Section 2-111(b)  
22 Annotated Code of Maryland  
23 (1998 Replacement Volume and 2000 Supplement)

24 BY adding to  
25 Article 83C - Juvenile Justice  
26 Section 2-134  
27 Annotated Code of Maryland  
28 (1998 Replacement Volume and 2000 Supplement)

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

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**Article 83C - Juvenile Justice**

2 2-111.

3 (b) The Department shall:

4 (1) [develop] DEVELOP programs for the predelinquent child whose  
5 behavior tends to lead to contact with law enforcement agencies; AND6 (2) ADMINISTER THE SUMMER OPPORTUNITY PROGRAM UNDER § 2-134  
7 OF THIS TITLE.

8 2-134.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
10 INDICATED.11 (2) "FUND" MEANS THE DEPARTMENT OF JUVENILE JUSTICE SUMMER  
12 OPPORTUNITY FUND.13 (3) "PROGRAM" MEANS THE DEPARTMENT OF JUVENILE JUSTICE  
14 SUMMER OPPORTUNITY PROGRAM.15 (B) (1) THERE IS A DEPARTMENT OF JUVENILE JUSTICE SUMMER  
16 OPPORTUNITY PROGRAM TO DEVELOP AND IMPLEMENT EDUCATIONAL  
17 CURRICULUM AND ACTIVITIES IN THE SUMMER MONTHS FOR THE ENRICHMENT OF  
18 CHILDREN WHO ARE UNDER THE SUPERVISION OF THE DEPARTMENT OR THE  
19 DEPARTMENT OF HUMAN RESOURCES.20 (2) (I) THERE IS A DEPARTMENT OF JUVENILE JUSTICE SUMMER  
21 OPPORTUNITY FUND TO FINANCE THE PROGRAM.22 (II) THE FUND SHALL CONSIST OF MONEYS THE GOVERNOR  
23 INCLUDES IN THE STATE BUDGET FOR THE FUND.24 (C) (1) THE PROGRAM SHALL BE ADMINISTERED AS PROVIDED IN THIS  
25 SUBSECTION.

26 (2) (I) A GROUP HOME OPERATOR OR OTHER INTERESTED PARTY:

27 1. MAY DEVELOP A PROPOSAL FOR EDUCATIONAL  
28 CURRICULUM AND ACTIVITIES DURING THE SUMMER MONTHS USING FACULTY OF  
29 THE LOCAL COUNTY SCHOOL SYSTEM FOR CHILDREN WHO ARE UNDER THE  
30 SUPERVISION OF THE DEPARTMENT OR THE DEPARTMENT OF HUMAN RESOURCES;  
31 AND32 2. SHALL SUBMIT THE PROPOSAL TO THE LOCAL COUNTY  
33 BOARD OF EDUCATION FOR REVIEW.

34 (II) A COUNTY BOARD:

- 1                                   1.       SHALL REVIEW THE PROPOSAL;
- 2                                   2.       IN CONSULTATION WITH THE REQUESTING PARTY, MAY  
3 MAKE ANY CHANGES THAT IT DEEMS NECESSARY; AND
- 4                                   3.       MAY FORWARD THE FINAL PROPOSAL TO THE  
5 DEPARTMENT FOR APPROVAL BY AUGUST 15 OF EACH YEAR.

6                   (3)       THE DEPARTMENT:

7                                   (I)       IN CONSULTATION WITH THE STATE BOARD OF EDUCATION,  
8 SHALL REVIEW A FINAL PROPOSAL SUBMITTED BY A COUNTY BOARD BY OCTOBER 15  
9 OF EACH YEAR;

10                                  (II)       MAY MAKE RECOMMENDATIONS THAT IT CONSIDERS  
11 NECESSARY; AND

12                                  (III)       SHALL SELECT FINAL PROPOSALS FOR IMPLEMENTATION BY  
13 NOVEMBER 15 OF EACH YEAR, GIVING PRIORITY TO FINAL PROPOSALS FOR DIVERSE  
14 AREAS OF THE STATE.

15                   (4)       (I)       AFTER THE DEPARTMENT SELECTS A FINAL PROPOSAL OF A  
16 COUNTY BOARD, THE DEPARTMENT SHALL DISTRIBUTE TO A COUNTY BOARD  
17 MONEYS FROM THE FUND TO COVER THE COST OF EXTENDING THE CONTRACTS OF  
18 PARTICIPATING TEACHERS TO IMPLEMENT AND OPERATE THE PROGRAM.

19                                  (II)       MONEYS DISTRIBUTED FROM THE FUND BY THE DEPARTMENT  
20 MAY BE USED ONLY TO COVER THE COST OF EXTENDING THE CONTRACTS OF  
21 PARTICIPATING TEACHERS.

22       (D)       (1)       A COUNTY BOARD MAY INCLUDE IN A FINAL PROPOSAL:

23                                  (I)       CURRICULUM AND ACTIVITIES THAT ARE FOR THE BENEFIT OF  
24 CHILDREN IN ANY GRADE FROM KINDERGARTEN THROUGH GRADE 12 WHO ARE  
25 UNDER THE SUPERVISION OF THE DEPARTMENT OR THE DEPARTMENT OF HUMAN  
26 RESOURCES;

27                                  (II)       CURRICULUM AND ACTIVITIES THAT USE SCHOOL FACILITIES,  
28 LIBRARIES, OR ANY OTHER FACILITIES AT A LOCATION DESCRIBED IN THE FINAL  
29 PROPOSAL;

30                                  (III)       CURRICULUM AND ACTIVITIES THAT ARE IMPLEMENTED FOR A  
31 SCHOOL, FOR A GROUP OF SCHOOLS, FOR A SCHOOL SYSTEM, OR COUNTYWIDE;

32                                  (IV)       CURRICULUM AND ACTIVITIES THAT ARE COORDINATED WITH  
33 AN AFTER-SCHOOL OPPORTUNITY PROGRAM OPERATING UNDER ARTICLE 41, TITLE  
34 6, SUBTITLE 8 OF THE CODE;

35                                  (V)       TUTORING IN SUBJECTS SPECIFIED IN THE FINAL PROPOSAL;  
36 OR

1 (VI) FIELD TRIPS TO LOCATIONS DESCRIBED IN THE FINAL  
2 PROPOSAL.

3 (2) A COUNTY BOARD SHALL INCLUDE IN A FINAL PROPOSAL THE  
4 ESTIMATED COST OF EXTENDING THE CONTRACTS OF PARTICIPATING TEACHERS.

5 (E) (1) FOR FISCAL YEAR 2003 AND EACH SUCCEEDING FISCAL YEAR, THE  
6 GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET TO ESTABLISH AND  
7 MAINTAIN THE PROGRAM AND THE FUND AND TO ACCOMPLISH THE PURPOSES OF  
8 THIS SECTION.

9 (2) APPROPRIATIONS MADE UNDER THIS SECTION FOR EXTENDING THE  
10 CONTRACTS OF PARTICIPATING TEACHERS MAY NOT BE USED TO SUPPLANT THE  
11 EXISTING STATE SHARE OF BASIC CURRENT EXPENSES UNDER § 5-202 OF THE  
12 EDUCATION ARTICLE.

13 (F) THE DEPARTMENT SHALL ADOPT REGULATIONS TO:

14 (1) ESTABLISH CRITERIA FOR APPROVING A FINAL PROPOSAL;

15 (2) ADMINISTER THE FUND; AND

16 (3) IMPLEMENT THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2001.