

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 860 (Delegate Rosenberg, *et al.*)
Judiciary

Public Safety - Probation - Participation in General Education Diploma or
Literacy Program

This bill authorizes a court to require a defendant to participate in a General Education Diploma (GED) or literacy program as a term or condition of a suspended sentence, probation before judgment, or probation after judgment.

Fiscal Summary

State Effect: It is expected that the requirements of this bill could be handled with the existing budgeted resources of the Maryland State Department of Education.

Local Effect: Because this bill authorizes, rather than requires, participation in GED or literacy programs, it is not expected to have an immediate significant impact on local adult education programs. However, if demand for these programs significantly increases in the future as a result of the bill, additional funding could be required.

Small Business Effect: None.

Analysis

Current Law: None applicable.

Background: The Education Coordinating Council for Correctional Institutions provides for a mandatory education program for all inmates who fail to attain a minimum educational standard. The minimum standard is the attainment of a GED or a verified high school diploma.

The Correctional Education Unit of the Department of Public Safety and Correctional Services provides educational programs for inmates. The educational programs are provided by certified Maryland State Department of Education (MSDE) staff. In fiscal 1999, 10,063 inmates participated in 4,314 combined enrollment slots and 951 inmates earned a high school diploma, 1,336 inmates received basic literacy and life skills certificates, and 770 inmates completed a 600-hour occupational training program. Post-secondary opportunities, supported by federal and Soros Foundation funds were reestablished in fiscal 1998. These include academic and occupational programs and are delivered via direct and distance learning methods by five Maryland institutions of higher education and the American Council on Education in Washington, D.C.

The Division of Parole and Probation has approximately 52,000 active supervision cases. An estimate of the percentage of this population without a high school diploma ranges from 60 - 70% based on national and State data. This means a potential 31,200 to 36,400 individuals could benefit from adult education services.

State Expenditures: For MSDE, as the administrative entity, the direct effect of this bill would be minimal and could be handled with existing resources.

Local Expenditures: The effect of this bill on the local grantees, who receive funding to implement the adult education program in Maryland, could be substantial. These services are provided at the local level with grant funds through MSDE.

The current adult education program has a limited ability to successfully support the expanded participation that could result from this legislation. Annually, Maryland serves from 36,000 to 38,000 adults in the existing adult education program. The Governor's budget allowance for fiscal 2002 sets program funding at \$1.4 million in State funds, and \$6.2 million in federal funds. These funds are distributed to local grantees for instructional services provided by 37 local grantees, most of which are local school systems or community colleges. Many local programs currently operate with waiting lists and citizens are unable to enroll because classes are at capacity or are exceeding capacity. Without additional resources, it would be extremely difficult for local agencies to absorb these additional students.

Legislative Services advises that, depending on conditional sentencing practices, the provisions of this bill would likely be carried out within the operating capacities of local adult education programs. If demand for those programs significantly increases, as a result of this bill, future year operating budgets may have to include additional funding for such programs to meet that demand.

MSDE advises that all but six of 37 of the grantees in the 23 counties and Baltimore City that deliver instructional services under the current adult education program are local school systems or community colleges. They would have individuals referred for services, which they may be unable to provide, and waiting lists for all citizens may have to be extended. In addition, probationers may be unable to meet the requirements of their probation in a timely fashion.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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