

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 178

(Senator Kelley)

Education, Health, and Environmental Affairs

Ways and Means

Residential Child Care Programs - State-Funded Operators - Licensing Provisions

This bill requires a licensed operator of a residential child care program that receives State funding and has legal custody or care and control of a child who is at least 5 years old and under the age of 16 years, to expeditiously obtain the academic records of a child from the transferring school and insure that the records are transferred to the school that the child will be attending while living in the operator's care. The licensed operator must enroll the child in the local school system where the residential child care program is located unless the residential child care program operates an approved educational program in accordance with the licensing regulations that govern the residential child care program. The licensed operator must also meet with the child's teacher at the time of enrollment and at any other time the school or teacher requests, sign and return the student's report card to the school, and include a copy of the report card in the child's case record. The State agency that licenses the operator must notify the operator of these requirements. A residential child care program includes group homes, alternative living units, and emergency shelter care.

The bill takes effect July 1, 2003.

Fiscal Summary

State Effect: None. Any notification costs for the Department of Health and Mental Hygiene (DHMH), the Department of Human Resources (DHR), and the Department of Juvenile Justice (DJJ) could be handled with existing resources.

Local Effect: The provisions of this bill should assist with the maintenance of student records when a child living in a licensed residential child care program transfers to a new school. Local school expenditures would not be affected.

Small Business Effect: Minimal. A licensed operator of a residential child care program should be able to comply with the bill's provisions with minimal or no cost.

Analysis

Current Law: A licensed operator of a group home is not statutorily required to obtain a child's school record or meet with the child's teacher.

Background: Three State agencies are responsible for licensing group homes: DJJ, DHR, and DHMH. Group homes licensed by DHMH serve primarily developmentally disabled children. Many of these children's parents are not able to care for the children. Group homes licensed by DHR serve primarily foster care children. According to the Social Services Administration's monthly management report for August 2002, approximately 1,900 foster care children live in group homes.

Additional Information

Prior Introductions: None.

Cross File: HB 245 (Delegate Jones, *et al.*) – Ways and Means.

Information Source(s): Maryland State Department of Education, Department of Health and Mental Hygiene, Department of Human Services, Department of Legislative Services

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