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By: **Chairman, Ways and Means Committee (By Request - Departmental - Education)**

Introduced and read first time: January 21, 2004

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Juvenile Services Alternative Education Program**

3 FOR the purpose of requiring that the Juvenile Services Alternative Education  
4 Program Advisory Board be constituted no later than a certain date; clarifying  
5 the appointment process for a certain member of the Advisory Board; requiring  
6 a county board to pay certain funds to a certain program; clarifying the  
7 responsibilities of the Advisory Board; making technical corrections; providing  
8 for the effective date for certain provisions of this Act; and generally relating to  
9 the juvenile services alternative education program.

10 BY repealing and reenacting, with amendments,  
11 Article - Education  
12 Section 7-305.1  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)  
15 (As enacted by Chapter 433 of the Acts of the General Assembly of 2003)

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

18 **Article - Education**

19 7-305.1.

20 (a) The State Board shall establish in a county designated by the State  
21 Superintendent a juvenile services alternative education program for public school  
22 students who are suspended, expelled, or identified as being candidates for  
23 suspension or expulsion as provided in subsection (f) of this section.

24 (b) The Department shall oversee the juvenile services disciplinary  
25 alternative education program for public school students who are:

26 (1) Suspended, expelled, or identified as being candidates for suspension  
27 or expulsion; or

1 (2) Ordered to attend as a condition of probation by the juvenile court.

2 (c) (1) With the advice of the Juvenile Services Alternative Education  
3 Program Advisory Board, the State Board shall organize and run the juvenile services  
4 alternative education program.

5 (2) The Juvenile Services Alternative Education Program Advisory  
6 Board shall be composed of:

7 (i) One member of the Senate of Maryland, appointed by the  
8 President of the Senate;

9 (ii) One member of the House of Delegates, appointed by the  
10 Speaker of the House;

11 (iii) One of the county's circuit court judges, APPOINTED BY THE  
12 CHIEF JUDGE OF THE COURT OF APPEALS;

13 (iv) The county executive or the county executive's designee;

14 (v) The Secretary of Juvenile Services or the Secretary's designee;  
15 and

16 (vi) One member who is a resident of the county and the community  
17 in which the alternative education program is located, appointed by the county  
18 executive.

19 (d) (1) With the advice of the Juvenile Services Alternative Education  
20 Program Advisory Board, the State Board shall select a private agency to administer  
21 the juvenile services alternative education program.

22 (2) The selected private agency shall:

23 (i) Provide proof of student progress in reading and mathematics;  
24 and

25 (ii) Have at least 3 years of experience serving students that are  
26 suspended, expelled, or identified as being candidates for suspension or expulsion.

27 (e) A juvenile services alternative education program may be operated in a  
28 facility owned and operated by:

29 (1) A private party; or

30 (2) A county board.

31 (f) Except for a student who is adjudicated delinquent and committed by the  
32 juvenile court to a public or licensed private agency for placement in a facility under  
33 § 3-8A-19 of the Courts Article, a student who is required to attend school under §  
34 7-301 of this subtitle and who is suspended, expelled, or identified as being a  
35 candidate for suspension or expulsion from a public school in the county designated

1 under subsection (a) of this section shall attend the juvenile services alternative  
2 education program beginning the first day of the student's suspension or expulsion.

3 (g) The juvenile services alternative education program shall:

4 (1) Provide programs designed to promote self-discipline and reduce  
5 disruptive behavior in the school environment;

6 (2) Ensure that the student continues to receive appropriate educational  
7 and related services during the term of the suspension or expulsion including a focus  
8 in the following academic areas:

9 (i) English and language arts;

10 (ii) Mathematics;

11 (iii) Science; and

12 (iv) Social studies; and

13 (3) Offer services to facilitate the student's transition back to the school  
14 after completion of the term of suspension or expulsion.

15 (h) Each county board shall consider course credit earned by a student while  
16 in a juvenile services alternative education program as credit earned in a county  
17 school.

18 (i) The county board shall pay to the juvenile services alternative education  
19 [pilot] program the [basic current expenses per pupil] ANNUAL STATE PER PUPIL  
20 FOUNDATION AMOUNT AND THE LOCAL CURRENT EXPENSE PER STUDENT for each  
21 student transferred to the juvenile services alternative education [pilot] program  
22 from the county's schools.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the  
24 effective date for Section 2 of Chapter 433 of the Acts of the General Assembly of 2003:

25 (1) the Juvenile Services Alternative Education Program Advisory Board shall  
26 be constituted on or before September 1, 2004;

27 (2) the membership of the Advisory Board shall be as described in § 7-305.1(c)  
28 of the Education Article as enacted by Section 1 of this Act; and

29 (3) the Advisory Board shall advise the State Board of Education on the  
30 juvenile services alternative education program to be established, and the private  
31 agency to be selected to administer the program, under Section 2 of Chapter 433 of  
32 the Acts of 2003.

33 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act  
34 shall take effect July 1, 2005, the effective date of Section 2 of Chapter 433 of the Acts  
35 of the General Assembly of 2003. If the effective date of Section 2 of Chapter 433 is  
36 amended, this Act shall take effect on the taking effect of Section 2 of Chapter 433.

1       SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in  
2 Section 3 of this Act, this Act shall take effect July 1, 2004.