

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 157

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

Ways and Means

Education - Juvenile Services Alternative Education Program

This departmental bill requires the Juvenile Services Alternative Education Program (JSAEP) Advisory Board to be constituted by September 1, 2004 and requires the board to advise the State Board of Education (SBE) on the program to be established and the private agency that will be selected to administer JSAEP. The bill also clarifies the amount that a local school system must contribute to JSAEP to transfer a student there. Finally, the bill requires the Chief Judge of the Court of Appeals to appoint the circuit court judge who will serve on the JSAEP advisory board.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: The bill clarifies current law and has no financial impact on the State.

Local Effect: None. The bill clarifies, but does not alter, the amount that local school systems must provide to JSAEP.

Small Business Effect: The Maryland State Department of Education (MSDE) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: SBE is required to establish the Juvenile Services Alternative Education Pilot Program in a county designated by the State Superintendent of Schools. The program is for students who are suspended, expelled, or candidates for suspension or expulsion. SBE may select a private agency to administer the program. The pilot program must: (1) provide curricula that promote self-discipline and reduce disruptive behavior; (2) ensure that students continue to receive appropriate educational services; and (3) offer services to aid with students' transitions back to their regular schools.

Beginning in July 2005, a six-member JSAEP Advisory Board must be established, and with the advice of the advisory board, SBE must select a private agency to administer JSAEP. A local board of education that sends a student to JSAEP must pay the basic current expenses per pupil to JSAEP.

Background: The Juvenile Services Alternative Education Pilot Program was established through legislation enacted in 2001 and was opened in Prince George's County in February 2003. The Prince George's County public school system currently has primary responsibility for the operations of the pilot program, although State law requires a private agency to begin administering the program in July 2005. The program's mission is "to provide a safety net to students whose behavior in school and the community places them at great risk for dropping out of school or finding themselves caught up in situations leading to court involvement." The current program includes both an instructional component and a guidance component. In addition, students are provided further support when they are transitioning back to regular public schools. Program staffing levels and the size of the school facility can support up to 120 students.

MSDE advises that this legislation would ensure continuity between the program that is currently being operated by the Prince George's County public school system and a program that will be operated by a private agency. Establishing the advisory board by September 1, 2004, rather than July 1, 2005, would allow the procurement process to begin in time to select a private agency to run JSAEP for the 2005-2006 school year.

The alternative education program is receiving \$2 million from the State in fiscal 2004, but no funding has been provided in the proposed fiscal 2005 State budget. At this time, it is unclear if the program would continue to operate next school year without State funding. Prince George's County chose to discontinue operations at Annapolis Roads Middle School, a similar alternative education program located in the county, when State funding was eliminated by the Board of Public Works last summer.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2004
lc/hlb

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