

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 503

(Senators Brinkley and Haines)

Education, Health, and Environmental Affairs

Ways and Means

**Department of Juvenile Services Educational Programs - Private Residential
Rehabilitative Institutions**

This bill requires a private residential rehabilitative institution to develop and implement an educational program that is subject to the approval of the Maryland State Department of Education (MSDE). A private residential rehabilitative institution must receive statewide referrals and act as an option for the placement of reverse-waiver juveniles. “Private residential rehabilitative institution” is defined as a nonprofit facility that: (1) serves 150 or more court-adjudicated youths; (2) provides academic, athletic, and workforce development services; and (3) is approved to serve youths by October 1, 2005.

Fiscal Summary

State Effect: None. The bill codifies current practice.

Local Effect: None.

Small Business Effect: Potential meaningful impact for the one private residential rehabilitative institution operating in the State.

Analysis

Current Law: It is the intent of the General Assembly that, to the extent practicable, children in the juvenile services system be served in regional detention and commitment facilities that do not contain more than 48 children. By January 15, 2006, the Department of Juvenile Services (DJS) must issue a facilities master plan that is consistent with these principles.

With a few exceptions, private elementary and secondary schools in Maryland, including the educational programs at residential juvenile facilities licensed by DJS, must receive a certificate of approval from MSDE to operate.

Background: At this time, one program contracting with DJS, Bowling Brook Preparatory School, meets the bill's definition of a private residential rehabilitative institution. DJS is in the process of developing a facilities master plan as required by Chapter 431 of 2004. To the extent practicable, the plan must meet the principles established in Chapter 431, including size and regionalization restrictions for private commitment facilities contracting with DJS. Bowling Brook advises that the execution of these principles will limit its utility as a DJS referral.

Small Business Fiscal Effect: The bill ensures that Bowling Brook Preparatory School could continue to receive referrals from DJS. Under current law, the use of Bowling Brook as a referral option will presumably diminish due to the State's established goals for juvenile commitment institutions.

Additional Information

Prior Introductions: None.

Cross File: HB 1148 (Delegate Stocksdale, *et al.*) – Ways and Means.

Information Source(s): Department of Juvenile Services, Maryland State Department of Education, Bowling Brook Preparatory School, Department of Legislative Services

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