

HOUSE BILL 1394

F1

71r3385

By: **Delegate Frush**

Introduced and read first time: March 5, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Juvenile Services Alternative Education Program**

3 FOR the purpose of requiring the State Board of Education to establish a certain
4 juvenile services alternative education program; requiring the State
5 Department of Education to oversee the juvenile services alternative education
6 program for certain students; establishing a Juvenile Services Alternative
7 Education Program Advisory Board; specifying the membership of the advisory
8 board; requiring the State Board to select a private agency to administer the
9 juvenile services alternative education program; requiring certain students to
10 attend the juvenile services alternative education program; requiring the
11 juvenile services alternative education program to encompass certain programs
12 and services; requiring a county board to consider course credit earned by a
13 student while in a juvenile services alternative education program as credit
14 earned in a county school; requiring a county board to pay to the juvenile
15 services alternative education program certain expenses for each student
16 transferred to the juvenile services alternative education program from the
17 county's schools; and generally relating to the juvenile services alternative
18 education program.

19 BY adding to

20 Article – Education

21 Section 7–305.1

22 Annotated Code of Maryland

23 (2006 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 **7-305.1.**

5 (A) THE STATE BOARD SHALL ESTABLISH IN A COUNTY DESIGNATED BY
6 THE STATE SUPERINTENDENT A JUVENILE SERVICES ALTERNATIVE EDUCATION
7 PROGRAM FOR PUBLIC SCHOOL STUDENTS WHO ARE SUSPENDED, EXPELLED,
8 OR IDENTIFIED AS BEING CANDIDATES FOR SUSPENSION OR EXPULSION AS
9 PROVIDED IN SUBSECTION (F) OF THIS SECTION.

10 (B) THE DEPARTMENT SHALL OVERSEE THE JUVENILE SERVICES
11 ALTERNATIVE EDUCATION PROGRAM FOR PUBLIC SCHOOL STUDENTS WHO ARE:

12 (1) SUSPENDED, EXPELLED, OR IDENTIFIED AS BEING
13 CANDIDATES FOR SUSPENSION OR EXPULSION; OR

14 (2) ORDERED TO ATTEND AS A CONDITION OF PROBATION BY THE
15 JUVENILE COURT.

16 (C) (1) WITH THE ADVICE OF THE JUVENILE SERVICES
17 ALTERNATIVE EDUCATION PROGRAM ADVISORY BOARD, THE DEPARTMENT
18 SHALL ORGANIZE AND RUN THE JUVENILE SERVICES ALTERNATIVE EDUCATION
19 PROGRAM.

20 (2) THE JUVENILE SERVICES ALTERNATIVE EDUCATION
21 PROGRAM ADVISORY BOARD SHALL BE COMPOSED OF:

22 (I) ONE MEMBER OF THE SENATE OF MARYLAND,
23 APPOINTED BY THE PRESIDENT OF THE SENATE;

24 (II) ONE MEMBER OF THE HOUSE OF DELEGATES,
25 APPOINTED BY THE SPEAKER OF THE HOUSE;

26 (III) ONE OF THE COUNTY'S CIRCUIT COURT JUDGES;

27 (IV) THE COUNTY EXECUTIVE, OR THE COUNTY EXECUTIVE'S
28 DESIGNEE;

1 **(V) THE SECRETARY OF JUVENILE SERVICES, OR THE**
2 **SECRETARY'S DESIGNEE; AND**

3 **(VI) ONE MEMBER WHO IS A RESIDENT OF THE COUNTY AND**
4 **THE COMMUNITY IN WHICH THE ALTERNATIVE EDUCATION PROGRAM IS**
5 **LOCATED, APPOINTED BY THE COUNTY EXECUTIVE.**

6 **(D) (1) WITH THE ADVICE OF THE JUVENILE SERVICES**
7 **ALTERNATIVE EDUCATION PROGRAM ADVISORY BOARD, THE STATE BOARD**
8 **SHALL SELECT A PRIVATE AGENCY TO ADMINISTER THE JUVENILE SERVICES**
9 **ALTERNATIVE EDUCATION PROGRAM.**

10 **(2) THE SELECTED PRIVATE AGENCY SHALL:**

11 **(I) PROVIDE PROOF OF STUDENT PROGRESS IN READING**
12 **AND MATHEMATICS; AND**

13 **(II) HAVE AT LEAST 3 YEARS OF EXPERIENCE SERVING**
14 **STUDENTS THAT ARE SUSPENDED, EXPELLED, OR IDENTIFIED AS BEING**
15 **CANDIDATES FOR SUSPENSION OR EXPULSION.**

16 **(E) A JUVENILE SERVICES ALTERNATIVE EDUCATION PROGRAM MAY BE**
17 **OPERATED IN A FACILITY OWNED AND OPERATED BY:**

18 **(1) A PRIVATE PARTY; OR**

19 **(2) A COUNTY BOARD.**

20 **(F) EXCEPT FOR A STUDENT WHO IS ADJUDICATED DELINQUENT AND**
21 **COMMITTED BY THE JUVENILE COURT TO A PUBLIC OR LICENSED PRIVATE**
22 **AGENCY FOR PLACEMENT IN A FACILITY UNDER § 3-8A-19 OF THE COURTS**
23 **ARTICLE, A STUDENT WHO IS REQUIRED TO ATTEND SCHOOL UNDER § 7-301 OF**
24 **THIS SUBTITLE AND WHO IS SUSPENDED, EXPELLED, OR IDENTIFIED AS BEING A**
25 **CANDIDATE FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL IN THE**
26 **COUNTY DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION SHALL ATTEND**
27 **THE JUVENILE SERVICES ALTERNATIVE EDUCATION PROGRAM BEGINNING THE**
28 **FIRST DAY OF THE STUDENT'S SUSPENSION OR EXPULSION.**

1 **(G) THE JUVENILE SERVICES ALTERNATIVE EDUCATION PROGRAM**
2 **SHALL:**

3 **(1) PROVIDE PROGRAMS DESIGNED TO PROMOTE**
4 **SELF-DISCIPLINE AND REDUCE DISRUPTIVE BEHAVIOR IN THE SCHOOL**
5 **ENVIRONMENT;**

6 **(2) ENSURE THAT THE STUDENT CONTINUES TO RECEIVE**
7 **APPROPRIATE EDUCATIONAL AND RELATED SERVICES DURING THE TERM OF**
8 **THE SUSPENSION OR EXPULSION INCLUDING A FOCUS IN THE FOLLOWING**
9 **ACADEMIC AREAS:**

10 **(I) ENGLISH AND LANGUAGE ARTS;**

11 **(II) MATHEMATICS;**

12 **(III) SCIENCE; AND**

13 **(IV) SOCIAL STUDIES; AND**

14 **(3) OFFER SERVICES TO FACILITATE THE STUDENT'S TRANSITION**
15 **BACK TO THE SCHOOL AFTER COMPLETION OF THE TERM OF SUSPENSION OR**
16 **EXPULSION.**

17 **(H) EACH COUNTY BOARD SHALL CONSIDER COURSE CREDIT EARNED**
18 **BY A STUDENT WHILE IN A JUVENILE SERVICES ALTERNATIVE EDUCATION**
19 **PROGRAM AS CREDIT EARNED IN A COUNTY SCHOOL.**

20 **(I) THE COUNTY BOARD SHALL PAY TO THE JUVENILE SERVICES**
21 **ALTERNATIVE EDUCATION PROGRAM THE BASIC CURRENT EXPENSES PER**
22 **PUPIL FOR EACH STUDENT TRANSFERRED TO THE JUVENILE SERVICES**
23 **ALTERNATIVE EDUCATION PROGRAM FROM THE COUNTY'S SCHOOLS.**

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
25 **July 1, 2007.**