

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 1240

(Delegate Frush)

Judiciary

Judicial Proceedings

---

Education - Student Discipline - Alternative Education Program

---

This bill authorizes a juvenile court, in a county that has a juvenile justice alternative education program, to order a student – who is suspended, expelled, or identified as a candidate for suspension or expulsion from school – to attend that school.

The bill takes effect July 1, 2008 and terminates on June 30, 2011.

---

Fiscal Summary

**State Effect:** None. The bill would not materially affect State operations or finances.

**Local Effect:** All local school systems currently have an alternative education program available to their students who have a long-term suspension or who are facing expulsion, however, Prince George’s County is the only jurisdiction that has a juvenile justice alternative education program. Any minimal increase in referrals for children to attend these programs could be absorbed within existing budgeted resources of local school systems. However, if the number of students referred to such programs increase dramatically, the cost to local school systems could increase.

**Small Business Effect:** None.

---

Analysis

**Current Law:** Local boards of education are required to provide a continuum model of prevention and intervention activities and programs that encourage and promote positive behavior and reduce disruption. Each local board must develop special programs for

students who exhibit disruptive behavior. Two or more local boards may establish special programs for their joint use. Alternative education programs are operated and overseen by local boards of education.

**Background:** The Juvenile Justice Alternative Education Pilot Program (JJAEP) was originally established by Chapter 685 of 2001 as a program for public school students who had been suspended, expelled, or identified as candidates for suspension or expulsion. JJAEP was required to: • provide programs designed to promote self-discipline and reduce disruptive behavior; • ensure that students continue to receive appropriate educational and related services during their suspension and expulsion terms; and • offer services to facilitate students' transitions back to schools after they have served their suspension and expulsion terms. The pilot program was scheduled to terminate June 30, 2005.

Two years later, Chapter 433 of 2003 eliminated "pilot" from the program's title and required local school systems sending students to the program to pay tuition for the students beginning in fiscal 2006. However, State funding for the program was eliminated after fiscal 2004, and the program was repealed in 2006.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 4, 2008  
ncs/hlb Revised - House Third Reader - March 24, 2008  
Revised - Clarification - March 31, 2008

---

Analysis by: Jennifer K. Botts

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510