

## CHAPTER 662

(House Bill 201)

AN ACT concerning

### ~~Education – Student Discipline~~ – Juvenile Law – Juvenile Justice Alternative Education Program

FOR the purpose of authorizing a juvenile court to order a certain child to attend a certain juvenile justice alternative education program under certain circumstances; providing for the termination of this Act; and generally relating to ~~student discipline~~ a juvenile justice alternative education program.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–19(d)(1)

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Education

Section 7–305.1

Annotated Code of Maryland

(2008 Replacement Volume)

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

#### Article – Courts and Judicial Proceedings

#### 3–8A–19.

(d) (1) In making a disposition on a petition under this subtitle, the court may:

(i) Place the child on probation or under supervision in his own home or in the custody or under the guardianship of a relative or other fit person, upon terms the court deems appropriate, including community detention;

(ii) Subject to the provisions of paragraph (2) of this subsection, commit the child to the custody or under the guardianship of the Department of Juvenile Services, the Department of Health and Mental Hygiene, or a public or licensed private agency on terms that the court considers appropriate to meet the priorities set forth in § 3–8A–02 of this subtitle, including designation of the type of facility where the child is to be accommodated, until custody or guardianship is

terminated with approval of the court or as required under § 3-8A-24 of this subtitle;  
[or]

(iii) Order the child, parents, guardian, or custodian of the child to participate in rehabilitative services that are in the best interest of the child and the family; OR

(IV) IN ANY COUNTY THAT HAS ESTABLISHED A JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM, ORDER THE CHILD TO ATTEND THAT PROGRAM IF THE CHILD HAS BEEN SUSPENDED, EXPELLED, OR IDENTIFIED AS A CANDIDATE FOR SUSPENSION OR EXPULSION FROM SCHOOL.

### **Article - Education**

#### **7-305.1.**

**IN ANY COUNTY THAT HAS ESTABLISHED A JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM, THE JUVENILE COURT MAY ORDER A STUDENT WHO IS SUSPENDED, EXPELLED, OR IDENTIFIED AS A CANDIDATE FOR SUSPENSION OR EXPULSION FROM SCHOOL TO ATTEND THAT PROGRAM IN ACCORDANCE WITH § 3-8A-19(D) OF THE COURTS ARTICLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009. It shall remain effective for a period of 3 years and, at the end of June 30, 2012, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

**Approved by the Governor, May 19, 2009.**