

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 201
Judiciary

(Delegate Frush)

Judicial Proceedings

Juvenile Law - Juvenile Justice Alternative Education Program

This bill authorizes a juvenile court, in a county that has established 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 program.

The bill takes effect July 1, 2009 and terminates on June 30, 2012.

Fiscal Summary

State Effect: None.

Local Effect: Local boards of education should be able to handle additional referrals to their alternative education programs with existing budgeted resources.

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: (1) provide programs designed to promote self-discipline and reduce disruptive behavior; (2) ensure that students continue to receive appropriate educational and related services during their suspension and expulsion terms; and (3) 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 However, State funding for the program was eliminated after fiscal 2004, and the program was repealed in 2006.

Local Fiscal Effect: All local school systems currently have a type of alternative education program available to their students who face long-term suspension or expulsion. Prince George's County, however, is the only jurisdiction currently operating a program that originated as a juvenile justice alternative education program. The bill may cause a minimal increase in referrals for children to attend these programs, which can be absorbed within the existing budgeted resources of local school systems. However, if the number of students referred to such programs increases dramatically, the cost to local school systems may increase.

Additional Information

Prior Introductions: HB 1240 of 2008 passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: None.

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

Fiscal Note History: First Reader - February 4, 2009
mlm/kdm Revised - House Third Reader - March 26, 2009

Analysis by: Jennifer K. Botts

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

