

Department of Legislative Services
 Maryland General Assembly
 2010 Session

FISCAL AND POLICY NOTE

House Bill 188
 Judiciary

(Delegate Waldstreicher)

Department of Juvenile Services Employees - Required Education

This bill requires the Correctional Training Commission (CTC) to require, as a condition of employment, that specified Department of Juvenile Services (DJS) employees possess a degree from an institution of higher education.

Fiscal Summary

State Effect: General fund expenditures increase by \$3.8 million in FY 2011 to reflect salary increases based on the new employment requirements. Future years reflect annualization and inflation. CTC can use existing resources to verify compliance with the educational background requirements and to amend existing regulations. State revenues are not affected.

(\$ in millions)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3.8	5.1	5.4	5.6	5.9
Net Effect	(\$3.8)	(\$5.1)	(\$5.4)	(\$5.6)	(\$5.9)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: CTC, within the Department of Public Safety and Correctional Services, is required to establish minimum qualifications for probationary or permanent appointment as a DJS employee. A DJS employee is defined as a youth supervisor,

youth counselor, direct care worker, or other employee of DJS whose employment responsibility is the investigation, custody, control, or supervision of minors, juvenile delinquents, and youthful offenders who are committed, detained, awaiting placement, adjudicated delinquent, or otherwise under DJS supervision. Employees of any nonprofit or for-profit entities under contract with DJS whose employment responsibility is similar to that of a direct DJS employee are also included in the definition.

CTC regulations specify that a youth supervisor must have a high school diploma or GED. Youth supervisors are defined in regulation as DJS employees who provide custodial services to juveniles under DJS supervision. Juvenile counselors are already required to have a baccalaureate degree or an associate's degree. (*See* COMAR 12.10.01.04.)

An "institution of higher education" is an institution of postsecondary education that generally limits enrollment to graduates of secondary schools, and awards degrees at the associate, baccalaureate, or graduate degree level.

State Fiscal Effect: General fund expenditures increase by \$3.8 million in fiscal 2011, which accounts for the bill's October 1, 2010 effective date. DJS advises that 851 positions are subject to the employment standard established in the bill. DJS indicates that under departmental guidelines, it is likely that each employee who attains a higher education degree as required by the bill would receive a salary increase of approximately two grades; or about \$5,000 per person. Accordingly, this estimate reflects a two-grade increase in the salaries and associated fringe benefits costs of 851 positions in DJS. Future year expenditures reflect full years of the salary and fringe benefits difference and accounts for 4.4% annual increases and 3% employee turnover.

This estimate does not reflect costs for 851 *new* positions, but only the difference in salaries and fringe benefits based on the salary increase. Because the bill does not specify a prospective application, it is assumed for purposes of this analysis that existing DJS direct care employees are *not* exempt from the requirement to possess a degree from an institute of higher education. DJS will experience a significant operational impact if all of the existing 851 employees who do not meet the educational requirements specified in this bill by the bill's effective date have to be replaced. Costs associated with advertising, recruiting, and training new DJS employees who meet the educational requirements are not included in the above estimate, but could be significant.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Services, Department of Public Safety and Correctional Services, Department of Legislative Services

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mpc/kdm

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