

# HOUSE BILL 1

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(PRE-FILED)

4lr0889  
CF SB 64

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By: **Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**

Requested: November 12, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Children in Need of Assistance – Educational Stability**

3 FOR the purpose of requiring the juvenile court to inquire as to the educational  
4 stability of a child at certain hearings and proceedings; authorizing the juvenile  
5 court to consider certain factors in determining the educational stability of a  
6 child; defining a certain term; and generally relating to children in need of  
7 assistance and educational stability.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 3–816.4

11 Annotated Code of Maryland

12 (2013 Replacement Volume and 2013 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 **3–816.4.**

17 (A) IN THIS SECTION, “EDUCATIONAL STABILITY” MEANS THE  
18 CONTINUOUS PROCESS OF IDENTIFYING AND IMPLEMENTING THE  
19 APPROPRIATE EDUCATIONAL PLACEMENT, TRAINING, RESOURCES, SERVICES,  
20 AND EXPERIENCES THAT WILL ADDRESS THE FUNDAMENTAL NEEDS NECESSARY  
21 TO ENSURE THE SUCCESSFUL EDUCATIONAL OUTCOME OF A CHILD AND  
22 CONTRIBUTE TO THE CHILD’S OVERALL WELL-BEING.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) THE COURT SHALL INQUIRE AS TO THE EDUCATIONAL STABILITY OF**  
2 **A CHILD AT A SHELTER CARE HEARING, ADJUDICATORY HEARING, DISPOSITION**  
3 **HEARING, AND ANY CHANGE OF PLACEMENT PROCEEDING.**

4           **(C) IN DETERMINING THE EDUCATIONAL STABILITY OF A CHILD UNDER**  
5 **THIS SECTION, THE COURT MAY CONSIDER THE FOLLOWING FACTORS:**

6                   **(1) THE APPROPRIATENESS OF THE CHILD'S CURRENT SCHOOL**  
7 **PLACEMENT;**

8                   **(2) THE SCHOOL PLACEMENT OF THE CHILD'S SIBLINGS;**

9                   **(3) THE MINIMIZATION OF SCHOOL CHANGES;**

10                   **(4) THE PROXIMITY OF THE SCHOOL TO THE CHILD'S**  
11 **PLACEMENT;**

12                   **(5) TRANSPORTATION TO AND FROM SCHOOL;**

13                   **(6) THE PROPER RELEASE AND PROMPT TRANSFER OF THE**  
14 **CHILD'S EDUCATION RECORDS;**

15                   **(7) THE CHILD'S SCHOOL ATTENDANCE;**

16                   **(8) THE IDENTIFICATION OF AND CONSULTATION WITH THE**  
17 **CHILD'S EDUCATIONAL GUARDIAN;**

18                   **(9) THE MAINTENANCE OF ANY INDIVIDUAL EDUCATION PLAN**  
19 **(IEP); AND**

20                   **(10) THE CHILD'S APPROPRIATE GRADE LEVEL PROGRESS OR**  
21 **PROGRESS TOWARD GRADUATION.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2014.