

# HOUSE BILL 1475

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CF SB 595

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By: **Delegates A. Washington, Luedtke, Patterson, Turner, and M. Washington**

Introduced and read first time: February 10, 2017

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Residential Boarding Education Programs for At-Risk Youth – Eligibility**

3 FOR the purpose of establishing a certain residential boarding education program for  
4 students enrolled in certain grades; providing that certain students shall be eligible  
5 to participate in the program if an operator files a certain plan; requiring operators  
6 of the program to meet certain qualifications, adopt certain standards, submit a  
7 certain charter and bylaws, and conduct certain outreach programs; providing that  
8 the program may be part of a certain other program; requiring an operator to submit  
9 a certain plan to the State Department of Education that includes certain  
10 information; requiring the Department to review and approve a plan if it is  
11 consistent with certain educational purposes; and generally relating to residential  
12 boarding education programs for at-risk youth in grade 7 or higher.

13 BY repealing and reenacting, without amendments,  
14 Article – Education  
15 Section 8–701, 8–702, and 8–704  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Education  
20 Section 8–703  
21 Annotated Code of Maryland  
22 (2014 Replacement Volume and 2016 Supplement)

23 BY adding to  
24 Article – Education  
25 Section 8–704.1  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2016 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 8–701.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “At-risk youth” means an individual who meets at least two of the eligibility  
7 criteria determined by the Department and an operator that may include:

8 (1) Being eligible for free or reduced price meals;

9 (2) A record of suspensions, office referrals, or chronic truancy;

10 (3) A failure to achieve a proficient or advanced level on State assessments  
11 in reading or mathematics, or both;

12 (4) Having a disability;

13 (5) A referral from a teacher, counselor, social worker, or  
14 community-based service organization;

15 (6) The head of household is a single parent;

16 (7) The head of household is not a custodial parent;

17 (8) The adjusted gross family income is below the federally established  
18 poverty guidelines;

19 (9) The family receives temporary cash assistance under the State Family  
20 Investment Program; or

21 (10) A member of the family has been incarcerated.

22 (c) “Board” means the Board of Trustees of Residential Boarding Education  
23 Programs.

24 (d) “Operator” means a private nonprofit or public entity that develops and  
25 operates a program.

26 (e) “Program” means a residential boarding education program that includes:

27 (1) A remedial curriculum for middle school grades;

28 (2) A college-preparatory curriculum for high school grades;

1 (3) Extracurricular activities such as athletics and cultural events;

2 (4) College admissions counseling;

3 (5) Health and mental health services;

4 (6) Tutoring;

5 (7) Community service opportunities; and

6 (8) A residential student life program.

7 8–702.

8 A residential boarding education program for at–risk youth shall be operated under  
9 the supervision of the Department.

10 8–703.

11 (A) A student shall be eligible to participate in a program if the student is:

12 (1) A disadvantaged child as defined in § 8–101 of this title;

13 (2) An at–risk youth;

14 (3) A resident of the State; and

15 (4) [Currently] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF**  
16 **THIS SECTION**, enrolled in grade 5 or grade 6.

17 (B) **NOTWITHSTANDING SUBSECTION (A)(4) OF THIS SECTION, A STUDENT**  
18 **ENROLLED IN GRADE 7 OR HIGHER SHALL BE ELIGIBLE TO PARTICIPATE IN A**  
19 **PROGRAM IF:**

20 (1) **THE STUDENT IS OTHERWISE ELIGIBLE UNDER SUBSECTION (A)**  
21 **OF THIS SECTION; AND**

22 (2) **AN OPERATOR FILES AN APPROPRIATE PLAN UNDER § 8–704.1 OF**  
23 **THIS SUBTITLE.**

24 8–704.

25 (a) The Department may contract with an operator to provide at–risk youth in  
26 the State with the opportunity to participate in a program.

1 (b) The operator shall meet the qualifications established by the Department  
2 including:

3 (1) Previous experience with a comparable program;

4 (2) Measured success with a comparable program; and

5 (3) The capacity to finance and secure private funds for the development of  
6 a campus for the program.

7 (c) (1) The operator shall adopt written standards for the admission and  
8 dismissal of students.

9 (2) The standards and any amendments shall be submitted to the State  
10 Board for approval.

11 (3) The State Board may require modifications to the standards as it  
12 considers necessary.

13 (d) The operator shall submit its charter and bylaws to the State Board for  
14 approval.

15 (e) The operator shall conduct an outreach program for each local education  
16 agency in the State to:

17 (1) Provide information to the local education agency about the program;  
18 and

19 (2) Encourage student recruitment and participation from each county in  
20 the State.

21 **8-704.1.**

22 (A) **THE DEPARTMENT MAY CONTRACT WITH AN OPERATOR WHO MEETS**  
23 **THE REQUIREMENTS OF § 8-704 OF THIS SUBTITLE TO PROVIDE AT-RISK YOUTH IN**  
24 **THE STATE ENROLLED IN GRADE 7 OR HIGHER WITH THE OPPORTUNITY TO**  
25 **PARTICIPATE IN A PROGRAM.**

26 (B) **THE PROGRAM UNDER THIS SECTION MAY BE A PART OF THE PROGRAM**  
27 **UNDER § 8-704 OF THIS SUBTITLE.**

28 (C) **THE OPERATOR SHALL SUBMIT A PLAN TO THE DEPARTMENT TO**  
29 **ENROLL STUDENTS IN GRADE 7 OR HIGHER THAT INCLUDES:**

30 (1) **ALL GRADE LEVELS FROM WHICH STUDENTS SHALL BE**  
31 **ENROLLED;**

1           **(2) THE TIME FRAME DURING WHICH ENROLLMENT SHALL OCCUR;**

2           **(3) THE CIRCUMSTANCES UNDER WHICH AN OPERATOR SHALL**  
3 **ENROLL STUDENTS;**

4           **(4) THE PROCESS BY WHICH STUDENTS SHALL BE SELECTED;**

5           **(5) IF APPLICABLE, A DESCRIPTION OF HOW STUDENTS SHALL BE**  
6 **INTEGRATED INTO AN EXISTING EDUCATIONAL CURRICULUM AND RESIDENTIAL**  
7 **STUDENT LIFE; AND**

8           **(6) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.**

9           **(D) THE DEPARTMENT SHALL REVIEW AND APPROVE THE PLAN IF IT IS**  
10 **CONSISTENT WITH THE EDUCATIONAL PURPOSES OF THIS SUBTITLE.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
12 1, 2017.