

SENATE BILL 595

F1

7lr2830
CF HB 1475

By: **Senators Nathan–Pulliam, Benson, Kelley, Madaleno, Ramirez, Robinson, Young, and Zucker**

Introduced and read first time: February 2, 2017

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 3, 2017

CHAPTER _____

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – Education
3 Section 8–704.1
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2016 Supplement)

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

8 **Article – Education**

9 8–701.

- 10 (a) In this subtitle the following words have the meanings indicated.
- 11 (b) “At-risk youth” means an individual who meets at least two of the eligibility
12 criteria determined by the Department and an operator that may include:
- 13 (1) Being eligible for free or reduced price meals;
- 14 (2) A record of suspensions, office referrals, or chronic truancy;
- 15 (3) A failure to achieve a proficient or advanced level on State assessments
16 in reading or mathematics, or both;
- 17 (4) Having a disability;
- 18 (5) A referral from a teacher, counselor, social worker, or
19 community-based service organization;
- 20 (6) The head of household is a single parent;
- 21 (7) The head of household is not a custodial parent;
- 22 (8) The adjusted gross family income is below the federally established
23 poverty guidelines;
- 24 (9) The family receives temporary cash assistance under the State Family
25 Investment Program; or
- 26 (10) A member of the family has been incarcerated.
- 27 (c) “Board” means the Board of Trustees of Residential Boarding Education
28 Programs.

1 (d) "Operator" means a private nonprofit or public entity that develops and
2 operates a program.

3 (e) "Program" means a residential boarding education program that includes:

- 4 (1) A remedial curriculum for middle school grades;
- 5 (2) A college-preparatory curriculum for high school grades;
- 6 (3) Extracurricular activities such as athletics and cultural events;
- 7 (4) College admissions counseling;
- 8 (5) Health and mental health services;
- 9 (6) Tutoring;
- 10 (7) Community service opportunities; and
- 11 (8) A residential student life program.

12 8-702.

13 A residential boarding education program for at-risk youth shall be operated under
14 the supervision of the Department.

15 8-703.

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

- 17 (1) A disadvantaged child as defined in § 8-101 of this title;
- 18 (2) An at-risk youth;
- 19 (3) A resident of the State; and

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

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

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

1 **(2) AN OPERATOR FILES AN APPROPRIATE PLAN UNDER § 8-704.1 OF**
2 **THIS SUBTITLE.**

3 8-704.

4 (a) The Department may contract with an operator to provide at-risk youth in
5 the State with the opportunity to participate in a program.

6 (b) The operator shall meet the qualifications established by the Department
7 including:

8 (1) Previous experience with a comparable program;

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

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

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

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

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

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

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

22 (1) Provide information to the local education agency about the program;
23 and

24 (2) Encourage student recruitment and participation from each county in
25 the State.

26 **8-704.1.**

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

1 (B) THE PROGRAM UNDER THIS SECTION MAY BE A PART OF THE PROGRAM
2 UNDER § 8-704 OF THIS SUBTITLE.

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

5 (1) ALL GRADE LEVELS FROM WHICH STUDENTS SHALL BE
6 ENROLLED;

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

8 (3) THE CIRCUMSTANCES UNDER WHICH AN OPERATOR SHALL
9 ENROLL STUDENTS;

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

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

14 (6) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.