

SENATE BILL 497

E3, F1

(11r1642)

ENROLLED BILL

— *Judicial Proceedings/Judiciary and Ways and Means* —

Introduced by **Senators Kelley, Guzzone, Carter, Beidle, McCray, Feldman, Eckardt, Augustine, Smith, and Sydnor**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Services Education Board and Program – Establishment, Powers, and**
3 **Duties**

4 FOR the purpose of repealing certain provisions of law regarding educational programs for
5 juveniles in residential facilities; establishing the Juvenile Services Education
6 Board; providing that the Board is an independent unit within the Department of
7 Juvenile Services; providing for the budgeting of certain programs and services
8 related to the Department and the Board; requiring the Department and the Board to
9 jointly negotiate a memorandum of understanding; establishing the Juvenile
10 Services Education Program; providing for the composition, terms, staff, and chair
11 and vice chair of the Board; requiring the Board, to the extent practicable, to reflect
12 the diversity of the student population that the Department serves; providing that
13 each Board member is entitled to a certain stipend and reimbursement of certain
14 expenses; requiring the Board to have certain authority and responsibility relating

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.

Italics indicate opposite chamber/conference committee amendments.



1 to the juvenile services educational programs in the State beginning on a certain
2 date; requiring the Board to provide certain educational services to certain juveniles;
3 specifying the duties of the Board; authorizing the Department of Juvenile Services
4 to adopt certain regulations; requiring the Department to adopt certain regulations;
5 requiring the Board to meet publicly in accordance with certain requirements;
6 requiring the Board to appoint a Superintendent for the Juvenile Services Education
7 Program; specifying the duties and salary of the Superintendent; specifying the
8 Superintendent's qualifications; requiring the ~~Department~~ Superintendent to
9 implement juvenile services educational programs in the State in accordance with
10 certain requirements; requiring the Department, subject to the memorandum of
11 understanding, to employ certain staff; requiring the Superintendent to submit an
12 implementation plan to the Accountability and Implementation Board on or before a
13 certain date; requiring Expert Review Teams to be sent to all residential facilities by
14 the end of a certain school year; requiring the Governor to include in the annual
15 budget bill a certain appropriation; requiring the Department to notify a juvenile in
16 custody of the juvenile's educational rights; requiring the Board and the
17 Superintendent with the aid of the Department to work cooperatively to implement
18 certain requirements; prohibiting the disenrollment of certain juveniles from certain
19 schools under certain circumstances; requiring the Board to develop certain intake
20 classrooms; requiring the Board and the Superintendent with the aid of the
21 Department, in consultation with county boards of education, to develop a certain
22 postcustody re-enrollment procedure for certain juveniles; requiring the Board to
23 offer certain postsecondary education programs to certain juveniles; authorizing the
24 Board to contract with certain entities for certain purposes; requiring county boards
25 of education to waive certain graduation requirements under certain circumstances;
26 requiring county boards of education to reimburse the Department for certain costs
27 under certain circumstances; requiring the Superintendent with the aid of the
28 Department to submit a certain report to certain entities on or before a certain date
29 each year; requiring the Board to be subject to ~~a certain audit by the Department of~~
30 ~~Legislative Services and~~ investigation by the Maryland Office of the Inspector
31 General for Education; requiring the State Department of Education and the
32 Department to submit a certain report to the General Assembly on or before a certain
33 date; requiring the Board, in consultation with local school systems, to examine and
34 make recommendations on certain matters on or before a certain date; requiring the
35 Department to contract with a certain entity, on or before a certain date, to conduct a
36 review of certain policies and practices of the Department, the Board, and the
37 Superintendent and develop recommendations; requiring the entity to submit its
38 findings and recommendations to the Department, the Governor, and the General
39 Assembly on or before a certain date; requiring that a certain office conduct a certain
40 evaluation on or before certain dates; requiring the Juvenile Justice Monitoring Unit
41 of the Office of the Attorney General to have a representative available to attend
42 meetings of the Board; specifying certain personnel requirements for certain
43 employees transferred to the Department; ~~altering the membership of the~~
44 ~~Correctional Officers' Retirement System to include certain individuals serving in a~~
45 ~~certain position in the Department on or after a certain date;~~ providing that the
46 provisions of a certain collective bargaining agreement for certain staff continue to
47 apply under certain circumstances; providing that certain employees transferred to

1 the Department of Juvenile Services under this Act be transferred without
2 diminution of certain rights, benefits, employment, or retirement status; *requiring*
3 *the State Department of Education to transfer certain funds on or before a certain*
4 *date; requiring the Department to distribute certain funds to be used in accordance*
5 *with the memorandum of understanding;* defining certain terms and altering a
6 certain definition; providing for the construction of this Act; and generally relating
7 to the Juvenile Services Education Board and Program.

8 BY repealing

9 Article – Education

10 Section 22–301 through 22–306.1 and 22–307 through 22–310 and the subtitle
11 “Subtitle 3. Juvenile Services Educational Programs”

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Correctional Services

16 Section 8–201(a)

17 Annotated Code of Maryland

18 (2017 Replacement Volume and 2020 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Correctional Services

21 Section 8–201(h)

22 Annotated Code of Maryland

23 (2017 Replacement Volume and 2020 Supplement)

24 *BY repealing and reenacting, without amendments,*

25 *Article – Education*

26 *Section 5–404(b)*

27 *Annotated Code of Maryland*

28 *(2018 Replacement Volume and 2020 Supplement)*

29 *(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)*

30 *BY repealing and reenacting, with amendments,*

31 *Article – Education*

32 *Section 5–404(c)(1) and (2) and 5–411(g)(2)*

33 *Annotated Code of Maryland*

34 *(2018 Replacement Volume and 2020 Supplement)*

35 *(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)*

36 BY adding to

37 Article – Human Services

38 Section 9–501 through 9–506 to be under the new subtitle “Subtitle 5. Juvenile
39 Services Education Board”; and Section 9–601 through ~~9–606~~ 9–608 to be
40 under the new subtitle “Subtitle 6. Juvenile Services Education Program”

41 Annotated Code of Maryland

1 (2019 Replacement Volume and 2020 Supplement)

2 BY repealing and reenacting, without amendments,
 3 Article – State Government
 4 Section 6–402, 8–401(a) and (f), and 8–404
 5 Annotated Code of Maryland
 6 (2014 Replacement Volume and 2020 Supplement)

7 BY repealing and reenacting, with amendments,
 8 Article – State Government
 9 Section 6–404
 10 Annotated Code of Maryland
 11 (2014 Replacement Volume and 2020 Supplement)

12 ~~BY repealing and reenacting, with amendments,~~
 13 ~~Article – State Personnel and Pensions~~
 14 ~~Section 25–201(a)(10) and (11)~~
 15 ~~Annotated Code of Maryland~~
 16 ~~(2015 Replacement Volume and 2020 Supplement)~~

17 ~~BY adding to~~
 18 ~~Article – State Personnel and Pensions~~
 19 ~~Section 25–201(a)(12)~~
 20 ~~Annotated Code of Maryland~~
 21 ~~(2015 Replacement Volume and 2020 Supplement)~~

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 23 That Section(s) 22–301 through 22–306.1 and 22–307 through 22–310 and the subtitle
 24 “Subtitle 3. Juvenile Services Educational Programs” of Article – Education of the
 25 Annotated Code of Maryland be repealed.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 27 as follows:

28 **Article – Correctional Services**

29 8–201.

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

31 (h) (1) “Department of Juvenile Services employee” means a youth supervisor,
 32 youth counselor, direct care worker, **DIRECT EDUCATION STAFF MEMBER**, or other
 33 employee of the Department of Juvenile Services whose employment responsibility is the
 34 investigation, custody, control, or supervision of minors, juvenile delinquents, and youthful
 35 offenders who are committed, detained, awaiting placement, adjudicated delinquent, or are
 36 otherwise under the supervision of the Department of Juvenile Services.

1 (2) "Department of Juvenile Services employee" includes an employee of
2 any nonprofit or for-profit entity under contract with the Department of Juvenile Services
3 whose employment responsibility is the investigation, custody, control, or supervision of
4 minors, juvenile delinquents, and youthful offenders as described under paragraph (1) of
5 this subsection.

6 **Article – Education**

7 **5-404.**

8 (b) (1) The Board shall adopt guidelines for entities required to submit and
9 carry out implementation plans under this section that include establishing a maximum
10 page length, including appendices, for implementation plans.

11 (2) State and local government units responsible for implementing an
12 element of the Blueprint for Maryland's Future shall develop implementation plans
13 consistent with the Comprehensive Implementation Plan that describe the goals, objectives,
14 and strategies that will be used to improve student achievement and meet the Blueprint for
15 Maryland's Future recommendations for each segment of the student population.

16 (3) (i) After February 15, 2021, and no later than April 1, 2021, the
17 Department shall develop criteria to be used to recommend approval or disapproval of local
18 school system implementation plans and release of funds under this subtitle.

19 (ii) The criteria shall be submitted for approval to the Board.

20 (c) (1) (i) **1. [Each] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH**
21 **2 OF THIS SUBPARAGRAPH, EACH unit responsible for developing an implementation plan**
22 **under this section shall submit the plan to the Board for approval on or before June 15,**
23 **2021.**

24 **2. THE JUVENILE SERVICES EDUCATION PROGRAM**
25 **SUPERINTENDENT SHALL SUBMIT THE PLAN TO THE BOARD FOR APPROVAL ON OR**
26 **BEFORE JUNE 15, 2023.**

27 (ii) Each local school system shall submit a copy of its plan to the
28 Department for review and a recommendation of approval or disapproval.

29 (2) Governmental units shall submit implementation plans on elements of
30 the Blueprint for Maryland's Future under this subsection, including:

31 (i) Plans from each local school system to implement each element of
32 the Blueprint for Maryland's Future, including how to:

33 1. Adapt curriculum, instruction, and the organization of the
34 school day to enable more students to achieve college and career readiness by the end of 10th

1 grade, to provide students with needed services including community-partnered behavioral
 2 health services if appropriate, and to identify students who are falling behind and develop
 3 a plan to get them back on track;

4 2. Close student achievement gaps listed under §
 5 5-408(a)(2)(i) of this subtitle within the local school system;

6 3. Avoid the disproportionate placement of students with
 7 particular racial, ethnic, linguistic, economic, or disability status characteristics with novice
 8 teachers or teachers providing instruction in fields in which they lack expertise; and

9 4. Use additional funds for teacher collaborative time in
 10 accordance with Title 6, Subtitle 10 of this article prioritized based on availability of a
 11 sufficient number of high-quality teachers;

12 (ii) The joint plan of the Department and the Maryland Higher
 13 Education Commission for teacher preparation and training that meets the requirements
 14 under Title 6 of this article;

15 (iii) A plan from the Department for the expansion and coordination
 16 of Judy Centers under § 5-230 of this title and a plan for the expansion of community-based
 17 family support centers under Title 9.5, Subtitle 10 of this article;

18 (iv) The Department's plan for selection, assembly, and deployment of
 19 expert review teams under § 5-411 of this subtitle;

20 (v) The Department's plan for implementing the teacher career
 21 ladder and training Maryland teachers, school leaders, and administrators under Title 6,
 22 Subtitle 10 of this article;

23 (vi) The Career and Technical Education Committee plan for
 24 developing rigorous CTE pathways under § 21-207 of this article;

25 (vii) Plans from each local school system on proposed memoranda of
 26 understanding for prekindergarten in accordance with § 7-1A-05 of this article;

27 **(VIII) A PLAN FROM THE JUVENILE SERVICES EDUCATION**
 28 **PROGRAM SUPERINTENDENT ON THE PROPOSED EDUCATION OF JUVENILES UNDER**
 29 **TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE; and**

30 **[(viii)] (IX) Any other implementation plans the Board determines are**
 31 **necessary.**

32 5-411.

1 (g) (2) (i) *Beginning on July 1, 2023, the Department shall send Expert*
 2 *Review Teams to at least 10% of public schools in at least three different local school systems*
 3 *each year.*

4 (ii) **AN EXPERT REVIEW TEAM SHALL BE SENT TO EVERY**
 5 **RESIDENTIAL FACILITY IN WHICH JUVENILES ARE EDUCATED IN ACCORDANCE WITH**
 6 **TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE BY THE END OF THE**
 7 **2025–2026 SCHOOL YEAR.**

8 (III) *An Expert Review Team shall be sent at least once to every public*
 9 *school in the State by the end of the 2030–2031 school year.*

10 Article – Human Services

11 SUBTITLE 5. JUVENILE SERVICES EDUCATION BOARD.

12 **9–501.**

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 14 INDICATED.

15 (B) “BOARD” MEANS THE JUVENILE SERVICES EDUCATION BOARD.

16 (C) “RESIDENTIAL FACILITY” MEANS ANY FACILITY LISTED IN § 9–226 OF
 17 THIS TITLE.

18 (D) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION
 19 PROGRAM SUPERINTENDENT.

20 **9–502.**

21 (A) THERE IS A JUVENILE SERVICES EDUCATION BOARD WITHIN THE
 22 DEPARTMENT.

23 (B) **SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD IS AN**
 24 **INDEPENDENT UNIT WITHIN THE DEPARTMENT.**

25 (C) (1) **THE BOARD SHALL BE INCLUDED AS A UNIT WITHIN THE**
 26 **DEPARTMENT FOR PURPOSES OF THE DEPARTMENT’S ANNUAL OPERATING BUDGET.**

27 (2) **THE PROGRAMS OVERSEEN BY THE BOARD SHALL BE INCLUDED**
 28 **IN THE BOARD’S BUDGET.**

29 (D) (1) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
 30 **FOLLOWING SUPPORT SERVICES FOR THE BOARD SHALL BE PROVIDED BY EXISTING**

UNITS IN THE DEPARTMENT AND THE COST OF ANY NECESSARY SUPPORT PROVIDED TO THE BOARD SHOULD BE INCLUDED IN THE BUDGETS OF THOSE UNITS:

(I) INFORMATION AND TECHNOLOGY SERVICES;

(II) PROCUREMENT SERVICES;

(III) FISCAL SERVICES;

(IV) CAPITAL PLANNING AND CAPITAL BUDGETING;

(V) HUMAN RESOURCES;

(VI) FACILITY AND OFFICE MAINTENANCE;

(VII) RESEARCH AND PROGRAM EVALUATION; AND

(VIII) INVESTIGATIONS AND MONITORING.

(2) (I) THE SUPERINTENDENT SHALL HAVE EXCLUSIVE CONTROL OF THE DAY-TO-DAY OPERATION OF JUVENILE EDUCATION SERVICES.

(II) DECISIONS ON THE PROVISION OF EDUCATION, INCLUDING DECISIONS TO HIRE, FIRE, AND ASSIGN STAFF, SHALL BE MADE EXCLUSIVELY BY THE BOARD OR THE SUPERINTENDENT, SUBJECT TO APPROPRIATIONS IN THE STATE BUDGET, AND THE DEPARTMENT HAS NO POWER TO DENY OR MODIFY AN EDUCATION DECISION MADE BY THE BOARD OR THE SUPERINTENDENT.

(E) THE BOARD AND THE DEPARTMENT SHALL, IN ACCORDANCE WITH THIS SECTION, JOINTLY NEGOTIATE A MEMORANDUM OF UNDERSTANDING CAREFULLY DELINEATING THE DUTIES OF EACH IN THE PROVISION OF JUVENILE EDUCATION SERVICES.

9-503.

(A) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) THE SECRETARY;

(2) THE SECRETARY OF HIGHER EDUCATION;

(3) THE STATE SUPERINTENDENT OF SCHOOLS;

1 (4) A REPRESENTATIVE OF THE PUBLIC SCHOOL SUPERINTENDENTS'
2 ASSOCIATION OF MARYLAND, APPOINTED BY THE GOVERNOR WITH THE ADVICE
3 AND CONSENT OF THE SENATE;

4 (5) THE ATTORNEY GENERAL OF THE STATE, OR THE ATTORNEY
5 GENERAL'S DESIGNEE; ~~AND~~

6 (6) ONE EDUCATOR EMPLOYED BY THE STATE WHO IS ENGAGED IN
7 THE EDUCATION OF JUVENILES RESIDING IN A RESIDENTIAL FACILITY; AND

8 ~~(6)~~ (7) ~~SIX~~ FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH
9 THE ADVICE AND CONSENT OF THE SENATE.

10 (B) (1) THE CANDIDATE WHO RECEIVES THE HIGHEST NUMBER OF VOTES
11 IN AN ELECTION BY THE EDUCATORS EMPLOYED BY THE DEPARTMENT SHALL BE THE
12 EDUCATOR MEMBER.

13 (2) THE TERM OF THE EDUCATOR MEMBER IS 4 YEARS.

14 (3) AT THE END OF A TERM, THE EDUCATOR MEMBER CONTINUES TO
15 SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

16 (4) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CONDUCT THE
17 ELECTION OF THE EDUCATOR MEMBER.

18 (5) THE EDUCATOR MEMBER MAY NOT VOTE ON ANY MATTER THAT
19 RELATES TO APPEALS TO THE STATE BOARD OF EDUCATION UNDER § 6-202 OF THE
20 EDUCATION ARTICLE.

21 (C) (1) TO THE EXTENT PRACTICABLE, THE APPOINTED MEMBERS OF THE
22 BOARD SHALL REFLECT THE DIVERSITY OF THE POPULATION OF JUVENILES IN THE
23 STATE.

24 (2) THE APPOINTED MEMBERS OF THE BOARD SHALL POSSESS A
25 HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN AT LEAST ONE OF THE FOLLOWING
26 AREAS:

27 ~~(1)~~ (I) TEACHING OR EDUCATIONAL ADMINISTRATION;

28 ~~(2)~~ (II) PRIOR SERVICE ON THE STATE BOARD OF EDUCATION OR A
29 COUNTY BOARD OF EDUCATION;

30 ~~(3)~~ (III) SOCIAL WORK;

- 1 ~~(4)~~ (IV) SERVICES FOR INDIVIDUALS WITH DISABILITIES;
2 ~~(5)~~ (V) WORKING WITH INSTITUTIONALIZED YOUTH;
3 ~~(6)~~ (VI) MENTAL OR BEHAVIORAL HEALTH SERVICES;
4 ~~(7)~~ (VII) CIVIL RIGHTS LAW OR ADVOCACY;
5 ~~(8)~~ (VIII) DIGITAL LEARNING OR ONLINE ADMINISTRATION; OR
6 ~~(9)~~ (IX) HIGHER EDUCATION ADMINISTRATION.

7 ~~(C)~~ (D) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.

8 (2) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO
9 SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

10 (3) AN APPOINTED MEMBER WHO IS APPOINTED AFTER A TERM
11 BEGINS SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR
12 IS APPOINTED AND QUALIFIES.

13 (4) TO THE EXTENT PRACTICABLE, THE GOVERNOR SHALL FILL ANY
14 VACANCY FOR AN APPOINTED MEMBER ON THE BOARD WITHIN 60 DAYS OF THE
15 VACANCY.

16 ~~(D)~~ (E) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER ONLY FOR
17 CAUSE.

18 ~~(E)~~ (F) THE BOARD SHALL ELECT FROM AMONG ITS MEMBERS A CHAIR
19 AND A VICE CHAIR.

20 ~~(F)~~ (G) ANY ACTION BY THE BOARD SHALL REQUIRE:

21 (1) A QUORUM OF A MAJORITY OF THE VOTING MEMBERS THEN
22 SERVING; AND

23 (2) THE AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING
24 MEMBERS THEN SERVING.

25 ~~(G)~~ (H) EACH MEMBER OF THE BOARD IS ENTITLED TO REIMBURSEMENT
26 FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS
27 PROVIDED IN THE STATE BUDGET.

28 ~~(H)~~ (I) THE DEPARTMENT SHALL STAFF THE BOARD.

1 **9-504.**

2 (A) BEGINNING JULY 1, 2022, THE BOARD SHALL OVERSEE AND APPROVE
3 ALL EDUCATIONAL SERVICES TO ALL JUVENILES WHO ARE IN A RESIDENTIAL
4 FACILITY.

5 (B) THE BOARD SHALL:

6 (1) DEVELOP, RECOMMEND, AND APPROVE FOR EVERY RESIDENTIAL
7 FACILITY AN EDUCATIONAL TRAINING PROGRAM THAT:

8 (I) MEETS THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE
9 JUVENILES IN THE RESIDENTIAL FACILITY; AND

10 (II) IS ACCREDITED BY AN APPROVED ACCREDITING AGENCY;

11 (2) IN CONSULTATION WITH THE JUVENILE JUSTICE MONITORING
12 UNIT AND THE DEPARTMENT, DEVELOP MINIMUM STANDARDS AND A REPORTING
13 STRUCTURE TO MEASURE EDUCATIONAL OUTCOMES AND ASSESS IMPLEMENTATION
14 OF THE JUVENILE SERVICES EDUCATION PROGRAM;

15 (3) REVIEW A QUALITY ASSURANCE REPORT DEVELOPED BY THE
16 DEPARTMENT EACH QUARTER; AND

17 (4) CONDUCT A PERFORMANCE REVIEW OF THE SUPERINTENDENT AT
18 LEAST ONCE EVERY 4 YEARS.

19 (C) THE BOARD SHALL APPROVE POSTSECONDARY EDUCATION PROGRAMS,
20 INCLUDING VOCATIONAL AND ONLINE PROGRAMS, THAT MEET THE NEEDS OF THE
21 JUVENILES IN A RESIDENTIAL FACILITY.

22 (D) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THE
23 REQUIREMENTS OF THIS SECTION.

24 **9-505.**

25 (A) THE BOARD SHALL MEET PUBLICLY IN THE STATE AT LEAST ONCE PER
26 MONTH AT THE TIMES DETERMINED BY:

27 (1) A MAJORITY OF THE MEMBERS THEN SERVING;

28 (2) THE CHAIR OF THE BOARD; OR

1 **(3) THE SECRETARY.**

2 **(B) A MAJORITY OF THE MEMBERS THEN SERVING CONSTITUTES A**
3 **QUORUM.**

4 **(C) THE BOARD SHALL:**

5 **(1) MAINTAIN MINUTES OF ITS MEETINGS AND ANY OTHER RECORDS**
6 **THAT IT CONSIDERS NECESSARY;**

7 **(2) ON REQUEST, PROVIDE INFORMATION REGARDING ITS BUDGET,**
8 **ACTIVITIES, AND PROGRAMS; AND**

9 **(3) ALLOW TIME FOR PUBLIC COMMENT AT EACH OF ITS MEETINGS.**

10 **9-506.**

11 **(A) THE BOARD SHALL APPOINT A JUVENILE SERVICES EDUCATION**
12 **PROGRAM SUPERINTENDENT.**

13 **(B) THE SUPERINTENDENT SHALL:**

14 **(1) IMPLEMENT AND ADMINISTER THE EDUCATIONAL PROGRAMS**
15 **APPROVED BY THE BOARD;**

16 **(2) OVERSEE THE EDUCATION OF EVERY JUVENILE IN A RESIDENTIAL**
17 **FACILITY;**

18 **(3) MEET WITH AND ADVISE THE BOARD ABOUT EDUCATIONAL**
19 **PROGRAMS AND OUTCOMES FOR JUVENILES;**

20 **(4) SELECT, ORGANIZE, AND DIRECT THE STAFF OF THE JUVENILE**
21 **SERVICES EDUCATION PROGRAM;**

22 **(5) ENSURE THAT THE POLICIES AND DECISIONS OF THE BOARD ARE**
23 **CARRIED OUT; ~~AND~~**

24 **(6) COORDINATE WITH THE DEPARTMENT TO ENSURE THAT THE**
25 **OPERATION OF JUVENILE EDUCATIONAL SERVICES ARE INTEGRATED WITH THE**
26 **NONEDUCATIONAL OPERATIONS OF THE DEPARTMENT; AND**

27 **(7) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.**

28 **(C) THE SUPERINTENDENT:**

1 (1) IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET;
2 AND

3 (2) SERVES AT THE PLEASURE OF THE BOARD.

4 (D) THE SUPERINTENDENT:

5 (1) MUST BE AN EXPERIENCED AND COMPETENT EDUCATOR;

6 (2) MUST BE A GRADUATE OF AN ACCREDITED COLLEGE OR
7 UNIVERSITY;

8 (3) MUST HAVE AT LEAST 2 YEARS OF SPECIAL ACADEMIC AND
9 PROFESSIONAL GRADUATE PREPARATION IN AN ACCREDITED COLLEGE OR
10 UNIVERSITY;

11 (4) MUST HAVE AT LEAST 7 YEARS OF EXPERIENCE IN TEACHING AND
12 ADMINISTRATION; AND

13 (5) MAY NOT BE A CURRENT MEMBER OF THE BOARD OR HAVE BEEN A
14 MEMBER OF THE BOARD AT ANY TIME DURING THE YEAR IMMEDIATELY PRECEDING
15 THE APPOINTMENT.

16 (E) THE SUPERINTENDENT MAY HIRE ADDITIONAL STAFF, AS PROVIDED IN
17 THE STATE BUDGET, TO PROVIDE AND ADMINISTER EDUCATIONAL SERVICES
18 WITHIN THE DEPARTMENT.

19 SUBTITLE 6. JUVENILE SERVICES EDUCATION PROGRAM.

20 9-601.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) "BOARD" HAS THE MEANING STATED IN § 9-501 OF THIS TITLE.

24 (C) "FACILITY" MEANS A BUILDING OR BUILDINGS AND RELATED PHYSICAL
25 INFRASTRUCTURE AT A GEOGRAPHICALLY DISTINCT LOCATION AT WHICH THE
26 DEPARTMENT OPERATES A PROGRAM.

27 (D) "MEMORANDUM OF UNDERSTANDING" MEANS THE MEMORANDUM OF
28 UNDERSTANDING BETWEEN THE BOARD AND THE DEPARTMENT REQUIRED UNDER
29 § 9-502 OF THIS TITLE.

1 ~~(D)~~ (E) “RESIDENTIAL FACILITY” HAS THE MEANING STATED IN § 9-501
2 OF THIS TITLE.

3 (F) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION
4 PROGRAM SUPERINTENDENT.

5 9-602.

6 THERE IS A JUVENILE SERVICES EDUCATION PROGRAM WITHIN THE
7 DEPARTMENT.

8 9-603.

9 (A) (1) BEGINNING JULY 1, 2022, THE DEPARTMENT ~~SHALL~~ AND THE
10 BOARD, SUBJECT TO THE MEMORANDUM OF UNDERSTANDING, JOINTLY SHALL HAVE
11 THE AUTHORITY AND RESPONSIBILITY FOR IMPLEMENTING THE JUVENILE
12 SERVICES EDUCATIONAL PROGRAMS IN THE STATE.

13 (2) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL PROVIDE AND
14 OVERSEE EDUCATIONAL SERVICES TO ALL JUVENILES IN A RESIDENTIAL FACILITY.

15 (B) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL IMPLEMENT FOR EACH
16 RESIDENTIAL FACILITY AN EDUCATIONAL PROGRAM AS APPROVED BY THE BOARD
17 THAT:

18 (1) MEETS THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE
19 JUVENILES IN THE RESIDENTIAL FACILITY; AND

20 (2) IS ACCREDITED BY AN APPROVED ACCREDITING AGENCY.

21 (C) (1) THE DEPARTMENT, SUBJECT TO THE MEMORANDUM OF
22 UNDERSTANDING, SHALL EMPLOY ANY STAFF NECESSARY TO CARRY OUT THE
23 JUVENILE SERVICES EDUCATION PROGRAM AS PROVIDED IN THE STATE BUDGET.

24 (2) EDUCATIONAL STAFF IN THE DEPARTMENT SHALL BE SUBJECT
25 TO THE CAREER LADDER AND SALARY PROVISIONS ~~OF THE BLUEPRINT FOR~~
26 ~~MARYLAND’S FUTURE~~ UNDER TITLE 6, SUBTITLE 10 OF THE EDUCATION ARTICLE.

27 (D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE
28 REQUIREMENTS OF THIS SECTION.

29 (E) ~~NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE~~
30 ~~DEPARTMENT FROM CONTRACTING~~ THE BOARD MAY AUTHORIZE THE DEPARTMENT

1 TO CONTRACT WITH A NONPROFIT PRIVATE PARTY OR A COUNTY BOARD OF
2 EDUCATION TO PROVIDE EDUCATIONAL SERVICES FOR JUVENILES IN A
3 RESIDENTIAL FACILITY.

4 (F) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE
5 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION IN
6 AN AMOUNT SUFFICIENT TO MEET THE REQUIREMENTS OF THIS SUBTITLE.

7 9-604.

8 (A) (1) THE DEPARTMENT SHALL NOTIFY A JUVENILE IN CUSTODY OF
9 THE JUVENILE'S EDUCATIONAL RIGHTS.

10 (2) A JUVENILE IN THE CUSTODY OF THE DEPARTMENT WHO IS
11 ENROLLED IN A PUBLIC SCHOOL AT THE TIME THE JUVENILE IS TAKEN INTO
12 CUSTODY MAY NOT BE DISENROLLED FROM THAT SCHOOL UNTIL AFTER
13 DISPOSITION OF THE JUVENILE'S CASE.

14 ~~(2)~~ (3) THE PUBLIC SCHOOL IN WHICH A JUVENILE UNDER
15 PARAGRAPH ~~(1)~~ (2) OF THIS SUBSECTION IS ENROLLED SHALL PROVIDE THE
16 DEPARTMENT WITH THE EDUCATIONAL MATERIALS NECESSARY FOR THE JUVENILE
17 TO REMAIN CURRENT WITH THE JUVENILE'S EDUCATIONAL PROGRAM AT THE
18 SCHOOL IN WHICH THE JUVENILE IS ENROLLED.

19 ~~(3)~~ (4) (I) IN CONSULTATION WITH THE BOARD AND COUNTY
20 BOARDS OF EDUCATION, THE SUPERINTENDENT WITH THE AID OF THE
21 DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PROCEDURE TO TRANSFER A
22 COPY OF A JUVENILE'S EDUCATIONAL RECORDS FROM THE SCHOOL IN WHICH THE
23 JUVENILE IS ENROLLED TO A RESIDENTIAL FACILITY IN WHICH THE JUVENILE IS
24 PLACED.

25 (II) THE EDUCATIONAL RECORDS TRANSFERRED IN
26 ACCORDANCE WITH THIS PARAGRAPH SHALL INCLUDE A COPY OF:

- 27 1. AN INDIVIDUALIZED EDUCATION PROGRAM;
- 28 2. A 504 PLAN;
- 29 3. RECORDS FROM AN ENGLISH FOR SPEAKERS OF
30 OTHER LANGUAGES (ESOL) PROGRAM; AND
- 31 4. ANY OTHER RELEVANT DOCUMENTS AND
32 INFORMATION.

1 (B) THE SUPERINTENDENT WITH THE AID OF THE DEPARTMENT, IN
 2 CONSULTATION WITH COUNTY BOARDS OF EDUCATION, SHALL DEVELOP AND
 3 IMPLEMENT A PROCEDURE FOR THE RE-ENROLLMENT OF A JUVENILE IN A
 4 RESIDENTIAL FACILITY BEFORE THE JUVENILE IS RELEASED FROM THE CUSTODY
 5 OF THE DEPARTMENT.

6 (C) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL DEVELOP AN
 7 EDUCATIONAL PLAN FOR EACH SCHOOL-AGE JUVENILE IN THE CUSTODY OF THE
 8 DEPARTMENT FOR MORE THAN 4 WEEKS THAT:

9 (1) IS DESIGNED TO MEET THE JUVENILE'S INDIVIDUAL NEEDS; AND

10 (2) ENSURES THAT, TO THE EXTENT PRACTICABLE, THE JUVENILE IS
 11 ABLE TO SEAMLESSLY REINTEGRATE INTO THE JUVENILE'S HOME SCHOOL.

12 (D) (1) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL OFFER A MINIMUM
 13 OF 2.5 HOURS OF A POSTSECONDARY EDUCATION PROGRAM PER WEEKDAY TO
 14 JUVENILES IN THE CUSTODY OF THE DEPARTMENT WHO HAVE:

15 (I) GRADUATED FROM HIGH SCHOOL; OR

16 (II) OBTAINED A HIGH SCHOOL DIPLOMA BY EXAMINATION IN
 17 ACCORDANCE WITH § 11-808 OF THE LABOR AND EMPLOYMENT ARTICLE.

18 (2) THE ~~DEPARTMENT~~ MAY BOARD MAY AUTHORIZE THE
 19 DEPARTMENT TO CONTRACT WITH A NONPROFIT PRIVATE PARTY, COMMUNITY
 20 COLLEGE, OR ANY OTHER INSTITUTION OF POSTSECONDARY EDUCATION IN THE
 21 STATE TO PROVIDE THE SERVICES REQUIRED BY THIS SUBSECTION.

22 (E) EACH COUNTY BOARD OF EDUCATION ~~SHALL~~ MAY WAIVE ALL HIGH
 23 SCHOOL GRADUATION REQUIREMENTS, INCLUDING REQUIRED COURSEWORK, FOR
 24 A JUVENILE WHO IS COMMITTED TO THE CUSTODY OF THE DEPARTMENT AND IS
 25 SUBSEQUENTLY TRANSFERRED TO THE LOCAL SCHOOL SYSTEM WHILE IN GRADE 11
 26 OR 12.

27 9-605.

28 (A) IN THIS SECTION, "BASIC DAILY COST" MEANS THE AVERAGE AMOUNT
 29 SPENT BY A COUNTY BOARD OF EDUCATION FROM COUNTY AND STATE FUNDS FOR
 30 THE PUBLIC EDUCATION OF A NONDISABLED CHILD DIVIDED BY THE NUMBER OF
 31 ACTUAL SCHOOL DAYS REQUIRED FOR A PUBLIC SCHOOL UNDER § 7-103 OF THE
 32 EDUCATION ARTICLE.

1 (B) A COUNTY BOARD OF EDUCATION SHALL REIMBURSE THE
2 DEPARTMENT FOR THE BASIC DAILY COST FOR EACH CHILD WHO WAS DOMICILED
3 IN THE COUNTY PRIOR TO PLACEMENT WITH THE DEPARTMENT IF THE CHILD:

4 (1) IS IN A FACILITY OR RESIDENTIAL FACILITY;

5 (2) IS IN THE CUSTODY OF THE DEPARTMENT FOR 15 CONSECUTIVE
6 DAYS OR MORE;

7 (3) DOES NOT MEET THE CRITERIA FOR SHARED STATE AND LOCAL
8 PAYMENT OF EDUCATIONAL COSTS AS PROVIDED IN §§ 8-406 AND 8-415 OF THE
9 EDUCATION ARTICLE; AND

10 (4) WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF
11 THE COUNTY AS CALCULATED UNDER § ~~5-202~~ 5-201 OF THE EDUCATION ARTICLE.
12 **9-606.**

13 (A) (1) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1
14 THEREAFTER, THE SUPERINTENDENT WITH THE AID OF THE DEPARTMENT SHALL
15 SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE
16 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE AGGREGATE
17 EDUCATIONAL OUTCOMES OF THE PROGRAMS REQUIRED BY THIS SUBTITLE AT
18 EACH RESIDENTIAL FACILITY.

19 (2) THE SUPERINTENDENT'S REPORT SHALL INCLUDE:

20 (I) STUDENT OUTCOMES;

21 (II) EXTERNAL ORGANIZATIONAL PARTNERSHIPS; AND

22 (III) TRANSITIONS BETWEEN ENROLLMENT IN PUBLIC SCHOOL
23 AND THE CUSTODY OF THE DEPARTMENT.

24 (3) THE SUPERINTENDENT SHALL REPORT THE INFORMATION
25 REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE AGGREGATE AND
26 DISAGGREGATED BY:

27 (I) RACE;

28 (II) ETHNICITY;

29 (III) GENDER;

1 (IV) ENGLISH PROFICIENCY STATUS;

2 (V) DISABILITY STATUS; AND

3 (VI) FAMILIAL INCOME.

4 (B) THE BOARD SHALL BE SUBJECT TO:

5 ~~(1) AUDITS BY THE OFFICE OF LEGISLATIVE AUDITS IN THE~~
6 ~~DEPARTMENT OF LEGISLATIVE SERVICES;~~

7 ~~(2)~~ INVESTIGATION BY THE MARYLAND OFFICE OF THE INSPECTOR
8 GENERAL FOR EDUCATION; AND

9 ~~(3)~~ (2) OVERSIGHT AND MONITORING BY THE STATE DEPARTMENT
10 OF EDUCATION AND STATE BOARD OF EDUCATION.

11 9-607.

12 (A) (1) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL
13 CONTRACT WITH A PUBLIC OR PRIVATE ENTITY TO CONDUCT AN EMPIRICAL
14 EVALUATION OF THE BOARD'S, THE SUPERINTENDENT'S, AND THE DEPARTMENT'S
15 POLICIES AND PRACTICES REGARDING THE EDUCATIONAL SERVICES PROVIDED TO
16 JUVENILES IN RESIDENTIAL FACILITIES.

17 (2) IN CONDUCTING THE STUDY REQUIRED UNDER THIS SUBSECTION,
18 THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REVIEW THE
19 EFFECTIVENESS OF THE BOARD'S, THE SUPERINTENDENT'S, AND THE
20 DEPARTMENT'S CURRENT POLICIES AND PRACTICES, INCLUDING:

21 (I) STUDENT EDUCATIONAL OUTCOMES;

22 (II) WHETHER THE EDUCATIONAL PLANS REQUIRED UNDER §
23 9-604(C) OF THIS SUBTITLE ARE MEETING JUVENILE NEEDS;

24 (III) STUDENT DISCIPLINARY OUTCOMES;

25 (IV) HOW EFFICIENTLY STUDENTS TRANSITION BETWEEN
26 ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT,
27 INCLUDING:

28 1. HOW WELL EDUCATIONAL RECORDS ARE
29 TRANSFERRED BETWEEN THE DEPARTMENT AND COUNTY BOARDS;

1 (b) The function of the Unit is to investigate and determine whether the needs of
2 children under the jurisdiction of the Department of Juvenile Services are being met in
3 compliance with State law, that their rights are being upheld, and that they are not being
4 abused.

5 6-404.

6 The Unit shall:

7 (1) evaluate at each facility:

8 (i) the child advocacy grievance process;

9 (ii) the Department's monitoring process;

10 (iii) the treatment of and services to youth;

11 (iv) the physical conditions of the facility; and

12 (v) the adequacy of staffing;

13 (2) review all reports of disciplinary actions, grievances, and grievance
14 dispositions received from each facility and alterations in the status or placement of a child
15 that result in more security, additional obligations, or less personal freedom;

16 (3) receive copies of the grievances submitted to the Department;

17 (4) perform unannounced site visits and on-site inspections of facilities;

18 (5) receive and review all incident reports submitted to the Department
19 from facilities;

20 (6) receive reports of the findings of child protective services investigations
21 of allegations of abuse or neglect of a child in a facility;

22 (7) ensure that each facility is in compliance with the regulations
23 applicable to residential facilities;

24 **(8) MONITOR THE IMPLEMENTATION OF EDUCATIONAL PROGRAMS**
25 **AT EACH RESIDENTIAL FACILITY;**

26 **[(8)] (9)** collaborate with the Department, the Department of Human
27 Services, the Maryland Department of Health, and the Division of Children and Youth of
28 the Governor's Office of Crime Prevention, Youth, and Victim Services in all matters
29 related to the licensing and monitoring of children's residential facilities; and

1 **[(9)] (10)** have a representative available to attend meetings of the
 2 advisory boards established under § 9-230 of the Human Services Article **AND MEETINGS**
 3 **OF THE JUVENILE SERVICES EDUCATION BOARD ESTABLISHED UNDER § 9-502 OF**
 4 **THE HUMAN SERVICES ARTICLE.**

5 8-401.

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

7 (f) “Office” means the office in the Department of Legislative Services designated
 8 by the Executive Director of the Department.

9 8-404.

10 (a) When directed by the Legislative Policy Committee, the Joint Audit and
 11 Evaluation Committee, the Executive Director, the Director of the Office of Policy Analysis,
 12 or the Director of the Office of Program Evaluation and Government Accountability, the
 13 Office shall conduct an evaluation of a governmental activity or unit and the statutes related
 14 to the governmental activity or unit.

15 (b) The Office, in consultation with the committees of jurisdiction, shall develop a
 16 work plan for an evaluation conducted under subsection (a) of this section.

17 (c) The evaluation report for an evaluation conducted under subsection (a) of this
 18 section:

19 (1) shall be consistent with the work plan developed under subsection (b) of
 20 this section; and

21 (2) may address the governmental activity’s or unit’s:

22 (i) efficiency;

23 (ii) effectiveness;

24 (iii) role in protecting consumers;

25 (iv) sufficiency of resources; and

26 (v) accomplishment of legislative objectives.

27 (d) On completion, the Department shall submit each evaluation report, including
 28 draft legislation to implement any recommended statutory changes, to the committees of
 29 jurisdiction.

1 ~~25-201.~~

2 (a) ~~Except as provided in subsection (b) of this section, this subtitle applies only~~
3 ~~to:~~

4 (10) ~~an individual serving as a Department of Juvenile Services employee~~
5 ~~in one of the following positions on or after July 1, 2018:~~

6 (i) ~~a community detention officer or community detention~~
7 ~~supervisor;~~

8 (ii) ~~a youth transportation officer, youth transportation officer lead,~~
9 ~~youth transportation officer supervisor, or youth transportation officer trainee;~~

10 (iii) ~~a resident advisor, resident advisor lead, resident advisor~~
11 ~~supervisor, or resident advisor trainee; or~~

12 (iv) ~~a youth recreation specialist; [and]~~

13 (11) ~~an individual serving as a Department of Public Safety and~~
14 ~~Correctional Services employee in one of the following positions on or after July 1, 2018:~~

15 (i) ~~a parole and probation assistant regional administrator;~~

16 (ii) ~~a psychology services chief;~~

17 (iii) ~~a correctional maintenance officer supervisor;~~

18 (iv) ~~a correctional maintenance officer manager;~~

19 (v) ~~a correctional maintenance services officer;~~

20 (vi) ~~a correctional maintenance services supervisor; or~~

21 (vii) ~~a correctional maintenance services manager; AND~~

22 ~~(12) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE~~
23 ~~SERVICES DIRECT EDUCATION STAFF MEMBER ON OR AFTER JULY 1, 2022.~~

24 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,
25 2021, the State Department of Education and the Department of Juvenile Services shall
26 submit to the General Assembly, in accordance with § 2-1257 of the State Government
27 Article, a report detailing plans for the transition of juvenile services educational programs
28 to the Juvenile Services Education Program established under Section 2 of this Act.

1 SECTION 4. AND BE IT FURTHER ENACTED, That:

2 (a) On or before December 1, 2021, the Juvenile Services Education Board
3 established under Section 2 of this Act shall submit to the General Assembly, in accordance
4 with § 2-1257 of the State Government Article, a report that meets the requirements of this
5 section.

6 (b) In consultation with local school systems, the Juvenile Services Education
7 Board shall examine and report on how, before the disposition of a student's juvenile case,
8 to meet the needs of a student who:

9 (1) is dually enrolled in the Juvenile Services Education Program and a
10 local school system; and

11 (2) has an individualized education program or other special education
12 plan.

13 (c) The Juvenile Services Education Board shall examine and make
14 recommendations regarding funding for the Juvenile Services Education Program
15 established under Section 2 of this Act, including recommendations for any improvements.

16 SECTION 5. AND BE IT FURTHER ENACTED, That:

17 (a) Subject to subsection (b) of this section, any State personnel or contractual
18 employee who is employed in the Juvenile Education Services Program within the State
19 Department of Education on June 30, 2022, shall, on July 1, 2022, be transferred to the
20 Department of Juvenile Services to be employed in accordance with this Act.

21 (b) Any State personnel or contractual employee involved in a transfer to the
22 Department of Juvenile Services under this section shall:

23 (1) if applicable, remain in the State Personnel Management System;

24 (2) remain in a position that is comparable to or most closely compares to
25 their former position, without further examination or qualification;

26 (3) receive no diminution in compensation or accumulated leave solely as a
27 result of the transfer; and

28 (4) if applicable, continue in the same salary grade in the Department of
29 Juvenile Services.

30 SECTION ~~4~~ 6. AND BE IT FURTHER ENACTED, That the provisions of any
31 collective bargaining agreement for staff in the Juvenile Services Education Program shall
32 continue to apply until the bargaining unit for the staff and the State negotiate a new
33 collective bargaining agreement.

1 ~~SECTION 5. AND BE IT FURTHER ENACTED, That all employees who are~~
 2 ~~transferred to the Department of Juvenile Services as a result of this Act shall be~~
 3 ~~transferred without diminution of their rights, benefits, employment, or retirement status.~~

4 SECTION 7. AND BE IT FURTHER ENACTED, That an individual who is an
 5 employee of the Juvenile Services Education Program on June 30, 2022, and remains a
 6 Department of Juvenile Services direct education staff member on July 1, 2022, shall remain
 7 a member of the Employees' Pension System as provided under Title 23 of the State
 8 Personnel and Pensions Article.

9 SECTION 8. AND BE IT FURTHER ENACTED, That:

10 (a) On or before July 1, 2022, all appropriations held by the State Department of
 11 Education made to carry out the exclusive functions of the Juvenile Services Education
 12 Program shall be transferred to the Department of Juvenile Services.

13 (b) The Department of Juvenile Services shall distribute the appropriations
 14 transferred in accordance with subsection (a) of this section to the Juvenile Services
 15 Education Board, established under Section 2 of this Act, to be used in accordance with the
 16 memorandum of understanding jointly agreed to by the Department of Juvenile Services
 17 and the Juvenile Services Education Board.

18 SECTION ~~5. 6.~~ 9. AND BE IT FURTHER ENACTED, That this Act shall take effect
 19 July 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.