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Larry Hogan
Governor

Sam Abed
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DATE: February 28, 2020
Bill Number: HB 1188 - Public Schools - Enrollment Location - Continuity
DJS Position: Letter of Information

The Department of Juvenile Services (DJS or department) is providing information for HB 1188. HB 1188 prohibits a local school board from withdrawing a child from enrollment if the child is placed in a DJS facility, a State-owned/operated facility that accommodates more than 25 children, or any other facility that primarily serves children who are determined to be delinquent.

Currently, the placement of a youth in a DJS facility results in their un-enrollment from their local school system. When a youth is placed in a DJS facility, within three (3) business days, a local school board must forward the student's educational records to the Maryland State Department of Education (MSDE). The local school board then drops the student from the rolls as if the student permanently transferred to a different school system.

Un-enrollment from the Local School System Creates Barriers for Successful Reentry

Upon the child's release from DJS custody, the student must then be re-enrolled into their local school system. Re-enrollment requires the parent/guardian to essentially start an entire new enrollment process which entails:

- providing proof of parenthood/guardianship;
- photo identification;
- birth certificate;
- proof of residency;
- updated health information; and
- completing school enrollment forms.

Generally, youth admitted to DJS detention facilities are removed from their home schools for a short amount of time, and the majority of detained youth are released to their communities without continued justice system involvement.

- In FY19, the average length of stay in detention was 20 days.
- In FY19, the average length of stay of youth charged as adults was adults had an average length of stay of 149 days. About 45% of the youth charged as adults are released back to the community.

HB 1188 Increases Public Safety and Positive Youth Outcomes

- HB 1188 removes administrative barriers to school enrollment for this vulnerable group of youth.
- HB1188 increases school attendance and engagement for youth released from DJS facilities.
- HB 1188 reduces the likelihood of recidivism by connecting youth back to the school without delay.
- HB 1188 creates a more equitable system to ensure all youth can access education services.

HB 1188 promotes much needed educational continuity when a youth has contact with the justice system. Moreover, transferring per pupil costs is not dependent on un-enrollment, therefore the proposed legislation does not impact any funding mechanisms for the Juvenile Services Schools. Furthermore, DJS will be able to communicate with the local school system well before a youth is released to begin planning to ensure continuity in the provision of the youth's educational services.

Lastly, HB 1188 makes a technical change by removing "forestry camp and training school" from the list of institutions in the statute. DJS does not operate, nor is there a mechanism to license, a "forestry camp" or "training school" in Maryland.