

EQUITY FOR ALL KIDS



To: Chair Kaiser and members of the Ways and Means Committee
From: Shamoyia Gardiner, Education Policy Director
Re: House Bill 1188: Public Schools - Enrollment Location - Continuity
Date: February 28, 2020
Position: Support

Educational stability is the most critical factor in ensuring a student's academic success.

This concept undergirds specific protections for students in foster care under the federal McKinney-Vento Act, which also recognizes that external, non-academic factors in a child's life can alter their academic outcomes. Under current Maryland law, however, these protections are not extended to another vulnerable population of students: those in the custody of the youth justice system.

This gap in protection at the state level is illogical. The Maryland Department of Juvenile Services (DJS) specifically mentions the appropriate management, supervision, and treatment of youth under its charge as primary tasks in its operations. The agency's mission includes assessing the individual needs of young people and meeting those needs through a variety of services offered at multiple stages and levels of interaction. DJS specifically envisions successful youth, strong leaders, and safer communities resulting from its work, with a series of goals that include improving positive outcomes and ensuring a continuum of care for involved young people. **These aims cannot be achieved while local education agency (LEA) leaders are simultaneously permitted to discontinue a student's enrollment once a student has entered DJS care.**

HB 1188 is a clear best practice made even more urgent given several interacting factors currently at play in the State: the disproportionate numbers of young people of color—particularly young Black people—pushed into the care of DJS; the severe and systemic underfunding of school districts primarily serving students of color (and again, Black students in particular); and the lack of widespread success in re-integrating students who've been involved with DJS back into their home schools, communities, and lives. This is a matter of ensuring that race-blind policies yield equitable outcomes for young people.

This bill also serves to support local education agencies' fiscal responsibilities to students and the State overall—LEAs are required to allocate a portion of funds to DJS to assist in providing educational services to young people in care who were enrolled in a given LEA prior to detention. HB 1188's prohibition on dis-enrollment would allow LEAs to continue receiving State and local funding for these students, which would then be more easily made available to DJS to provide those services. **Failing to pass HB 1188 will only serve to further the gap in available funding and services for already underfunded districts and the students they serve, while eschewing empirical evidence about the importance of educational stability for student success.** For all the reasons above, ACY urges a favorable report on this bill.

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