

HB 1513: Education – Juvenile Services Education System – Establishment, Powers, and Duties

Peter Leone, Support

My name is Peter Leone, I am a professor in the College of Education at the University of Maryland. I am submitting this written testimony this afternoon as a citizen and not on behalf of the College of Education or the University of Maryland. My schedule prohibits me from appearing in person to testify.

For more than 30 years, I have studied, evaluated and monitored education programs in juvenile corrections facilities in a number of states, the District of Columbia and Puerto Rico. I have worked with the Civil Rights Division of the Justice Department as well as US District Courts and advocacy groups across the country to ensure that incarcerated youth receive quality education services to which they are entitled. I believe that children and youth incarcerated in juvenile facilities are entitled to education services comparable to their peers in the public schools.

I have visited all of the juvenile facilities in the state during the past 30 years. I have worked with administrators of the Department of Juvenile Services and the State Department of Education for a number of years. In 2006 I was named monitor of the education provisions of a settlement agreement between the US Department of Justice and the State of Maryland involving education services at the Charles Hickey School, Cheltenham Youth Center, and subsequently the Baltimore City Juvenile Justice Center.

In 2004, the General Assembly transferred the responsibility for education services within DJS facilities to the Maryland State Department of Education (MSDE). Currently MSDE's Juvenile Services Education System (JSES) division operates schools in all 13 DJS facilities. Like other children in the state, students in juvenile correctional facilities have rights to education including special education services and supports. However, Maryland has stumbled in meeting its statutory obligations.

MSDE has an impossible task and in my estimation has not been able to deliver adequately, education services and supports to youth in DJS facilities. While teachers, administrators, and other staff working in the system want to do the right thing, the system as currently configured is unworkable. Problems associated with the current system include:

- Autonomy. The JSES (Juvenile Services Education System) operates within the MSDE, an agency that does not operate any other schools in the state and does not have an independent school board.
- Budget. The JSES has no budget formula that enables it to project needs based on population. The costs associated with providing education to youth in the DJS are considerably higher than for youth in the public schools.
- Calendar. JSES operates on a 12-month calendar. All teachers are 12-month employees. There are no options for teachers interested in a traditional 9-month school contract. To my knowledge, as 12 month employees, teachers with few restrictions, can take vacation days anytime during the calendar year.
- Credits. Options available for students to earn credits are limited. Students are not able to enroll in credit recovery courses until they have failed a course. There are few options for students to take on-line courses. School districts have discretion in awarding credits for partial coursework youth complete while in DJS custody. The education programs are not accredited by independent governing organizations like the Middle States Association, Commission on Secondary Schools. (Correctional education programs in many other states are accredited by Middle States and similar associations.)
- Human resources. MSDE has a cumbersome hiring process. It often takes months or more to hire teachers and other staff. Consequently, there are frequent teaching vacancies in JSES schools.

- Diplomas. JSES does not have the authority to issue diplomas.
- Procurement. JSES struggles to procure necessary school supplies in a timely manner.
- Space. At many DJS facilities, classroom and office space is inadequate.
- School board. JSES does not have an independent school board.
- Post-secondary education. While JSES has agreement with several community colleges, in general the options and opportunity for post- secondary education for students who have received their high school diploma or who have received their GED certificate are limited.

I support HB 1513 and the creation of a Board of Education for the Juvenile Services Education System.