

Boyd K. Rutherford
Lt. GovernorLarry Hogan
GovernorSam Abed
Secretary

DATE: March 18, 2021
Bill Number: HB 400 - Public Schools - Enrollment Location - Continuity
DJS Position: Letter of Information

The Department of Juvenile Services (DJS or department) is providing information for HB 400. HB 400 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 then a local school must forward the student's educational records to the Maryland State Department of Education (MSDE), which operates all schools in DJS facilities, within 3 business days. 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 re-entry.

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 entirely new enrollment process, including providing a birth certificate and proof of residency and updating health forms and information.

Youth are removed from local systems despite often short length of stays with DJS.

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

- In FY20, the average length of stay in detention was 21 days.
- In FY20, the average length of stay for youth charged as adults was of 105 days.
- About 75% of the youth charged as adults are transferred to juvenile court or have their cases dismissed in the adult system.

Removing barriers to re-entry increases public safety and positive youth outcomes.

- ✓ HB 400 removes administrative barriers to school enrollment.
- ✓ HB 400 increases school attendance and engagement for youth released from DJS facilities.
- ✓ HB 400 reduces the likelihood of recidivism by connecting youth back to the school without delay.
- ✓ HB 400 creates a more equitable system to ensure all youth can access education services.

HB 400 promotes educational continuity when a youth has contact with the justice system. The proposed legislation does not impact any funding mechanisms for the Juvenile Services Schools, as the system to transfer per pupil costs is not dependent on un-enrollment. 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 400 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.