

Delegate Boyce Testimony on HB 400.pdf

Uploaded by: Boyce, Regina T.

Position: FAV

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Environment and
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THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

March 16, 2021

HB 400 Enrollment Location – Continuity

Education, Health and Environmental Affairs Chair, Vice Chair and Committee Members, for the record, I am Delegate Regina T. Boyce testifying on HB 400 Enrollment Location - Continuity.

HB 400 prohibits a county superintendent from withdrawing a child from enrollment in a school that the child is attending due to the child's participation in an educational program that is located in a detention facility, as State-owned and the State-operated facility that accommodates more than 25 youth, or any other facility operated primarily for the detention of youth who are determined to be delinquent.

In November 2019 on a visit to both the Baltimore City Juvenile Justice Center and the Evening Reporting Center, I discovered a concerning issue. Youth entering the Baltimore Center were being withdrawn from school upon the transfer of their school records to the Baltimore Center from the school system. The Department of Juvenile Services provides educational programs, through MSDE, at the Center. These centers are not schools. The additional concern is the barrier this transfer creates. Resources at the Centers are used to re-enroll students back into school which requires several pieces of documentation: a birth certificate and two or three proofs of residency. And this is re-enrollment into a school the youth was enrolled 15 – 30 days prior.

According to the Department of Juvenile Services, in FY18 youth detained at the Baltimore Center in the juvenile system, on average, had a stay of 18 days. There were 661 youth admitted to detention "pre-trial". On any given day there were about 32 youth charged as juveniles at the Baltimore Center. A majority of the youth are released from detention back to the community. Also in FY18, youth detailed at the Baltimore Center as adults on average had a stay of 149 days. One-hundred forty-one youth charged as adults are admitted to the Baltimore Center "pre-transfer". On any given day about 57 youth are charged as adults. Forty-five percent of the youth charged as adults are released back to the community. This is a rough total of 89 youth who may not be heading back to school.

Youth who come into the system tend to have high absenteeism. Upon entering the system, these youth can receive needed resources for themselves and for their parents to address the underlying issues regarding the absenteeism as well as the underlying issues that have brought them to the center. Note, that this does not occur as it should because the resources are being used to mainly re-enroll youth into school. This is a state issue, not just a Baltimore City issue.

In the year second year of the BluePrint for Maryland's future, no child should be kept behind from receiving a world class education, even those who may take a wrong path. The simple correction of this issue will ensure these youth aren't left behind, and too have access to the BluePrint for Maryland's Future provisions for a world class competitive education.

I would also like to mention that this bill passed this committee (21-1) and the house (132-0) as HB 1188.

Thank you for your time and consideration. I urge a favorable report, again, please.

Regina T. Boyce

HB400 Public Schools - Enrollment Location - Conti

Uploaded by: Sterrette, Dawana

Position: FWA

BALTIMORE CITY PUBLIC SCHOOLS

Brandon M. Scott
Mayor, City of Baltimore

Linda Chinnia
*Chair, Baltimore City Board
of School Commissioners*

Dr. Sonja Brookins Santelises
Chief Executive Officer

**Testimony of the
Baltimore City Board of School Commissioners
Support with Amendment
House Bill 400 – Public Schools Enrollment
Location Continuity**

March 18, 2021

The Baltimore City Board of School Commissioners supports the effort of the sponsor for trying to rid barriers for students that find themselves in state custody. This bill would prohibit the withdrawal of a student from enrollment in a school that the student is attending until after the disposition of the student's juvenile case.

The practice that local school systems follow when a student is taken into the custody of a juvenile center is for the student's education record to be transferred to the juvenile center. Currently, transferring records has been defined as removing a student from the local school system's enrollment. The issue that the legislation is trying to resolve appears to be one that will allow students, when released, to immediately attend the school in which s/he attended prior to the stay at the state facility and while in the state facility the student can continue to receive appropriate education. The school board agrees that there should be no delay in the education of students and believes this will alleviate some of that delay.

However, there is a concern because a student that stays enrolled in a school, but does not attend class, is marked absent. In many cases, the number of days absent would currently reflect as the student being chronically absent, which would not only impact the absenteeism rate at the school, but also have the school's attendance rate be reflected poorly on the Maryland School Report Card.

In order for this legislation to not penalize schools, COMAR and the Maryland Records Manual/COMAR 13A.08.07.03 would need to be changed to reflect a specific code that these students can be given so as not to penalize the school or school system. Additionally, school systems would need to modify its current computer system (in Baltimore City it is Infinite Campus) to address the changes that will be made to allow for the new coding of these "absent" students. COMAR 13A.08.07.03 <http://www.dsd.state.md.us/comar/comarhtml/13a/13a.08.07.03.htm> Manual <http://marylandpublicschools.org/about/Documents/OCP/Publications/MDStudentRecordsSystemManual2016.pdf>

Basically, we hope that when regulations are developed to implement this legislation should it become law, local boards are asked to be part of the development of the regulations so that issues such as the above can be worked out and time parameters for the transfer of documents and notification processes when students are placed/removed from custody can be developed.

For the foregoing reasons the Baltimore City Board of School Commissioners supports with amendments HB 400 and urges a favorable report.

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HB 400 - LOI - Public Schools – Enrollment Locatio

Uploaded by: Hands, Zachary

Position: INFO



Karen B. Salmon, Ph.D.
State Superintendent of Schools

BILL:	House Bill 400	DATE:	March 18, 2021
SUBJECT:	Public Schools – Enrollment Location - Continuity	COMMITTEE:	Education, Health, and Environmental Affairs
POSITION:	Information Only		
CONTACT:	Zachary Hands 410-767-0504 (Annapolis) Zachary.hands1@maryland.gov		

EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding *HB 400 – Public Schools Enrollment – Continuity*, which specifies that a juvenile placed in a detention center may not be disenrolled from school until the disposition of the case, requires that a procedure to transfer a copy of educational records be established, requires the development of a process for re-enrollment, and the development by the Department of an educational plan for returning students. While the MSDE advocates for the timely continuity of education for all students, the requirements of this legislation present some challenges.

HB 400 would require that the MSDE change the definition of withdrawal from a school system. Withdrawal status is defined by the provision of an educational program. Under current policy, a student that enters a State Institution with an educational program is considered a transfer. Copies of records are transferred to the receiving school and the sending school maintains the student's record. If the student goes to a detention center that does not provide educational services, then the student is considered withdrawn from the school system. The change would mean that a student who enters a detention center without an educational program would not be withdrawn from the school system. Not withdrawing a student would require that an educational program be provided by the school system while the student is in a detention center. This presents a challenge since access to the student is difficult due to facility schedules and staff supervision, and virtual instruction is difficult due to facility restrictions on internet use.

HB 400 also requires that local school systems provide the MSDE with the educational materials necessary for the child to remain current with their educational program. This adds a role for the MSDE, which would require additional staffing. Schools would be required to send materials to the MSDE, and the MSDE would then be responsible for getting the materials to the student or facility liaison.

The requirement for timely transfer of records to State facilities is already addressed in the Code of Maryland Regulations (COMAR) 13A.08.07, which delineates the process for the timely transfer of records for students in State supervised care. This regulation sets parameters for the transfer of records and the process of notification to either the sending or receiving schools.

Additionally, the MSDE would be responsible for the development and implementation of a procedure for the re-enrollment of the child, a process which normally takes place at the local level. Additional staff would be needed to facilitate this process with the local school system. Staff would be essential in order that the MSDE develop an educational plan for each child who is detained for more than four weeks. The plan is required to be designed to meet the child's individual needs and ensure that, to the extent practicable, the child is able to seamlessly reintegrate into the home school. This requirement under the direction of the Department, would need to be implemented in consultation with each local school system. Currently, procedures are in place for the reintegration of students returning from facilities in all schools in Maryland. Transition teams meet when the student is slated to return to the school and create the schedule and work on the transfer of grades and credits, should any have been earned.

The MSDE is dedicated to supporting continuity in the instructional program for students in State facilities. Many of the requirements in the bill are already being managed at the local school system level. Adding the MSDE into the process would take the educational responsibilities away from the school system and would not allow for the local school system to act in the most efficient manner.

We respectfully request that you consider this information as you deliberate **HB 400**. For further information, please contact Zachary Hands, at 410-767-0504, or Zachary.hands1@maryland.gov.

HB400 - DJS - LOI.pdf

Uploaded by: Tress, Andrew

Position: INFO

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.