

# **HB400 Public Schools - Enrollment Location - Conti**

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Position: FWA

# BALTIMORE CITY PUBLIC SCHOOLS

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Mayor, City of Baltimore

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Chair, Baltimore City Board  
of School Commissioners

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Chief Executive Officer

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

**March 24, 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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**HB400 - DJS - LOI.pdf**

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Position: INFO

Boyd K. Rutherford  
Lt. GovernorLarry Hogan  
GovernorSam Abed  
Secretary

**DATE:** March 24, 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.