

TESTIMONY IN SUPPORT OF SB 497

JUVENILE SERVICES EDUCATION BOARD AND PROGRAM – ESTABLISHMENT, POWERS, AND DUTIES

Senate Judicial Proceedings Committee
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Submitted by Nick Moroney, director, Juvenile Justice Monitoring Unit (JJMU)

The Juvenile Justice Monitoring Unit (JJMU) supports SB 497, which would establish an independent school board to oversee education in Department of Juvenile Services' (DJS) operated detention and placement facilities. The JJMU is an independent state agency housed in the Office of the Maryland Attorney General. Monitors from the Unit perform unannounced visits to DJS facilities in order to fulfil our mission of guarding against abuse of incarcerated young people and ensuring that they receive appropriate treatment and services, including education-related services. We issue public reports covering each calendar quarter and these documents can be accessed via the following link: <https://www.marylandattorneygeneral.gov/pages/jjm/default.aspx>

The Maryland State Department of Education Juvenile Services Education System (MSDE JSES) is responsible for providing education services within all DJS detention and placement facilities. We have monitored and reported on MSDE services in DJS facilities since MSDE began taking over education services in those institutions more than 15 years ago and our reports include formal written responses from both MSDE and DJS.

The following descriptive list includes some of our concerns about the structure and state of education services offered by MSDE at DJS facilities:

- MSDE JSES is not organized to operate as a school system and does not have its own internal procurement or human resources department to ensure that adequate supplies, tools, and staffing are delivered or available to facility schools in a timely manner. Compounding inadequacies in the organizational infrastructure, MSDE JSES is insufficiently funded. These structural shortcomings have directly impacted the availability and quality of education services in DJS facilities.
- Ongoing problems with teacher shortages – through both vacancies and absences – continue to significantly disrupt education services in MSDE JSES schools. As a result of staffing issues, students do not receive comprehensive, consistent daily instruction with appropriate educational supports. Teachers in many of the MSDE JSES schools are paid less than their colleagues in local school systems and work year round.
- Students are unenrolled from their community school upon entering a DJS detention center even though they are often (sometimes within a few days)

released to the community following a court hearing. Parents or guardians then have to appear in person at a county or city school administration office to try and re-enroll their child in his or her local community school. Youth also experience difficulties transferring credits from MSDE JSES schools to local school systems. When the students return home, credits they earned in MSDE JSES schools are not necessarily accepted by their local school system or applied toward a high school diploma.

- Vocational/career and technology education is limited to a few basic courses (food handling hygiene, construction site flagger, CPR courses, etc.) in MSDE JSES schools and the delivery of these courses is hampered by staffing shortages.
- A potential shift toward improving education services and resources (at least for students held in detention facilities) involved a statutorily mandated pilot program based at the DJS-operated Noyes detention center in Montgomery County. The pilot legislative language [see HB 1607, 2018 legislative session] mandated the transfer of operational control of the school at Noyes from MSDE to the Montgomery County Public School System (MCPS). Unfortunately, operational control has yet to be ceded by MSDE and so the pilot program has yet to be properly operationalized. Additionally, the workgroup legislatively mandated to oversee the pilot program has so far failed to make concrete findings or recommendations to help students within the MSDE JSES system and has not advanced much-needed education reforms for students incarcerated under the Maryland juvenile justice system.

Please note that these problems predate the COVID-19 pandemic and that the current emergent situation has further negatively impacted the education services offered by MSDE to the young people incarcerated in DJS institutions.

Education services play a vital role in the juvenile justice system. Research shows that academic achievement is pivotal in reducing recidivism and promoting positive outcomes for young people in contact with justice systems. Substantive reform of the current education model for incarcerated students in Maryland is needed to effectuate an equitable system which provides youth with the access to services and instruction that enable them to thrive and succeed.

Senate Bill 497 involves the creation of an independent school board to oversee education within the deep end of the Maryland juvenile justice system and to help rectify the long-standing deficiency issues in education services for incarcerated young people in DJS placement and detention facilities. An independent school board can provide a level of autonomy, transparency and accountability not currently present within the MSDE JSES framework and can advocate to better ensure students receive the services and supports they are entitled to and that they need to succeed.

For these reasons, the JJMU supports SB 497 and respectfully urges the committee to give the bill a favorable report.