

SB 497: Juvenile Services Education Board and Program – Establishment, Powers, and Duties

Peter Leone, Support

My name is Peter Leone, I recently retired as Professor in the College of Education at the University of Maryland, College Park.

For more than 35 years, I have studied, evaluated, and monitored education programs in juvenile corrections facilities in many states, the District of Columbia and Puerto Rico. I have worked with the Civil Rights Division of the US Department of Justice as well as US District Courts and advocacy groups across the country to ensure that youth in custody receive quality education services to which they are entitled. I currently monitor education services in the Illinois Department of Juvenile Justice and was recently appointed to monitor education in the Los Angeles County Juvenile Halls. I believe that children and youth incarcerated in juvenile facilities are entitled to education services comparable to their peers in the public schools.

I first visited Maryland juvenile facilities in the early 1980s. Over the years I have worked with administrators in the Department of Juvenile Services and the State Department of Education. 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.

As you well know, 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) operates education programs in all 13 DJS-operated facilities. Like other children in the state, students in juvenile correctional facilities have rights to education including special education services and supports. However, MSDE has struggled to meet its statutory obligations.

MSDE has not been able to deliver adequately, education services and supports to youth in DJJ facilities. During the past 10 months during the pandemic, MSDE has been unable to deliver timely and responsive instruction to youth. In contrast other states have used technology, personal protective equipment, and blended learning (in-person combined with web-based instruction) to ensure that youth in custody receive quality education services.

Many teachers, administrators, and other staff working in the system want to do the right thing. However, as currently configured, the system is unworkable.

Problems associated with the current system include:

- Autonomy. The JSES (Juvenile Services Education System) operates within MSDE, an agency that does not operate any other schools in the state and does not have an independent school board. The leadership in MSDE has been resistant, in my estimation, to hearing about and learning from programs and service delivery in other jurisdictions.
- 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 DJJ 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, Western States, and similar associations.)
- Career and Technical Education (CTE). MSDE offers few hand-on CTE experiences or courses for youth. MSDE offers ServeSafe certification, an industry-recognized food handlers' program that

can be completed without any hand-on, in-kitchen activities.

- Human resources. MSDE has a cumbersome hiring process. In my experience, it often takes months or more to hire teachers and other staff. Historically, the JSES has a very high rate of staff turnover, especially in the Baltimore-Washington corridor where salaries are not commensurate with other public schools' salary schedules.
- Diplomas. JSES does not have the authority to issue diplomas.
- Procurement. JSES struggles to procure necessary school supplies in a timely manner; MSDE's infrastructure is not configured to support timely procurement.
- 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 SB 497 and the creation of the Juvenile Services Education Board and Program.