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State Superintendent of Schools

BILL: Senate Bill 497 **DATE:** February 17, 2021

SUBJECT: Education – Juvenile Services **COMMITTEE:** Judicial Proceedings
Education Board– Establishment,
Powers and Duties

POSITION: Information Only

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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for your consideration regarding Senate Bill (SB) 497 -Juvenile Services Education Board and Program-Establishment, Powers, and Duties.

SB 497 establishes a Board of Education (Board) for the Juvenile Services Education System and returns the responsibility of operations to the Department of Juvenile Services (DJS). The Bill requires the Board of Education to appoint a System Superintendent for the Juvenile Services Education System (JSES) and the DJS implement educational services to students.

The proposed legislation mandates that beginning July 1, 2022, the DJS shall have the authority and responsibility for implementing the JSES educational program. The Bill does not provide or establish any guidelines for this process in the absence of the Board, which has authority to begin as of July 1, 2022. In order for a smooth transition to occur, guidelines and collaboration with the Board should be established pertaining to the following questions:

Governance

SB 497 does not indicate if the JSES will become an additional local system for the State of Maryland. The bill does not address whether the staff will be state employees or employees of the Board nor does it address the disposition of the current employees of JSES.

Maryland Education Code - Section 22-304 allows the State Superintendent of Schools to appoint a director. The proposed legislation will give that authority to the proposed Board, however, the roles have not been defined by the proposed legislation.

Operations

Currently, individual academic student needs are met through transcript review and course placement that is based on a single unified curriculum. The bill proposes that students receive curricula from their local school system but does not indicate how a high quality program can be implemented using multiple curricula and testing measures. The bill does not address how the board will ensure that students are meeting the standards outlines by the Maryland State Department of Education. The bill addresses students in public schools but does not address students from private schools or those students who are home schooled.

Currently, JSES's curriculum for all courses is aligned to all Maryland state standards and follows the frameworks of instruction provided by the MSDE Division of Curriculum, Instructional Improvement and Professional Learning. These are the same frameworks used by Maryland's 24 local school systems. JSES has a program of studies including high school credits for English, math, science, CTE and social studies. Other courses for credits, such as foreign language, are offered through online course vendors.

JSES hired a coordinator for special education compliance in 2016 and has addressed many special education compliance concerns. Between January 2014 and June 2016, there were 18 letters of findings for special education compliance. Since June of 2019, there have been no letters of findings. JSES receives special education monitoring like all other Maryland local school systems and has been rated in the universal tier, which means there are no systemic compliance issues.

Staff development is essential in ensuring high quality instruction, however, SB 497 does not address or require staff development that addresses providing instruction using multiple curricula. Superintendents of local school systems in the State of Maryland meet COMAR regulations. SB 497 does not address the qualifications of the Superintendent identified in the bill.

Additional Considerations

JSES has implemented a technology infrastructure that provides 1:1 Chromebooks for students. Each JSES classroom has a minimum of 2 updated stand-alone computers in each classroom. In addition to updated computers in all classrooms, several facilities have stand-alone computer labs. Every facility has iPads and Nooks for student use. Teachers have been provided with professional development around embedding technology into instruction.

Post high school options were established in 2015. Students are able to take courses for college credit at Frederick Community College, Baltimore City Community College and Anne Arundel Community College. Those students who do not score well on the Accuplacer exam used for community college entrance are able to take continuing education courses while improving their math and reading skills.

The administration of juvenile services education should be based upon evidence-based practices and includes, a research-driven accountability system of continuous quality improvement. SB 497 will require monitoring by the Attorney General's Office to document that youths' needs and rights are being met and does not include empirical evaluations or educational outcome assessments.

Since assuming responsibility for the state’s juvenile justice educational services, MSDE has made major progress in improving the quality of educational services provided to Maryland’s detained and committed youth. A series of system-wide reforms have been implemented to address numerous deficiencies in the quality of the state’s juvenile justice education system

The Maryland State Department of Education (MSDE) proactively initiated a collaboration with Florida State University (FSU) to evaluate and improve the educational services for detained and committed youth throughout Maryland. The research partnership between MSDE and FSU is currently ongoing. It is particularly unique and noteworthy that MSDE proactively initiated the external comprehensive assessment of its education services, to ensure that they are “validated as best practices” and that they do, in fact, result in positive education and community reintegration outcomes. No other state is undergoing such a rigorous assessment of its juvenile justice education system.

Accreditation of schools only assists with ensuring basic requirements are being met, MSDE will continue to elevate educational services through the implementation of evidence-based best practices and a continuous quality improvement model to ensure successful student outcomes.

The costs for implementing SB 497 cannot be reasonably determined or estimated. The proposed legislation does not clearly define essential responsibilities, such as responsibilities of human resources, budget and finance management, teacher accreditation, technology support, employee relations, negotiated union agreements, State mandated assessments, curriculum and instruction, equity and compliance, professional development, and 504/Individualized Education Plans compliance and support.

This letter of information provides a fact-based context of major JSES initiatives listed below.

- Partnerships with local school systems
- Developing and implementing an evidence-based accountability system
- The ability to hire and retain high quality teachers with competitive and commensurate salaries and teacher contracts that account for year-round school calendars as compared with teachers in local school districts. (The MSDE introduced Senate Bill 74 in 2019, to address these issues, however, the bill did not move out of committee)
- The use of student performance measures and student outcomes to guide programming decision
- Meaningful year-round academic curriculum and vocational education opportunities based on students’ abilities and interests

We respectfully request that you consider this information as you deliberate **SB 497**. For further information, contact Zachary Hands, at (410) 767-0504, or Zachary.hands1@maryland.gov.