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State Superintendent of Schools

BILL:	House Bill 71	DATE:	January 28, 2021
SUBJECT:	Education – Juvenile Services Education Board– Establishment, Powers and Duties	COMMITTEE:	Judiciary and Ways and Means
POSITION:	Information Only		
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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for your consideration regarding House Bill (HB) 71 -Juvenile Services Education Board and Program-Establishment, Powers, and Duties.

House Bill 71 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 areas:

Governance

HB 71 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 of the JSES. 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 outlined 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.

Staff development is essential in ensuring high quality instruction, however, HB 71 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. HB 71 does not address the qualifications of the newly appointed Superintendent identified in the bill.

Additional Considerations

The administration of juvenile services education should be based upon evidence-based practices and include a research-driven accountability system of continuous quality improvement. HB 71 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.

MSDE proactively initiated 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 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 HB 71 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.

We respectfully request that you consider this information as you deliberate **HB 71**. For further information, contact Zachary Hands, at (410) 767-0504, or Zachary_hands1@maryland.gov.