



DEPARTMENT OF EDUCATION
Mohammed Choudhury, State Superintendent

DEPARTMENT OF JUVENILE SERVICES
Sam Abed, Secretary

November 29, 2021

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
100 State Circle
Annapolis, MD 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
100 State Circle
Annapolis, MD 21401

RE: Joint Report on the Transition of the Juvenile Services Education Program

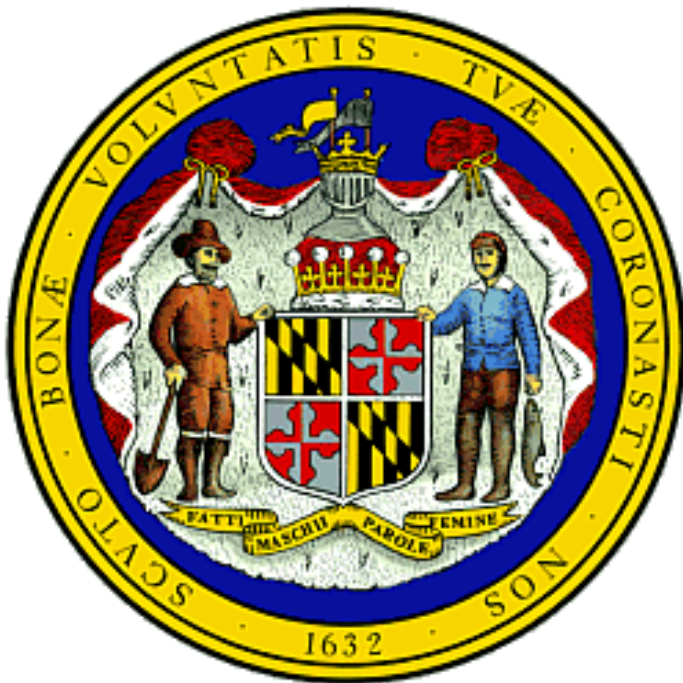
Dear President Ferguson and Speaker Jones:

Please find attached the joint report from the Department of Juvenile Services and Maryland State Department of Education detailing the plans to transition juvenile services educational programming as required in Chapter 145 (SB 497) of the 2021 Laws of Maryland.

Sincerely,

Sam Abed
Secretary
Department of Juvenile Services

Mohammed Choudhury
Superintendent
Maryland State Department of Education



JOINT REPORT ON THE TRANSITION OF JUVENILE SERVICES EDUCATION PROGRAMS

November 29, 2021

Chapter 145 of 2021

MSAR # 13066

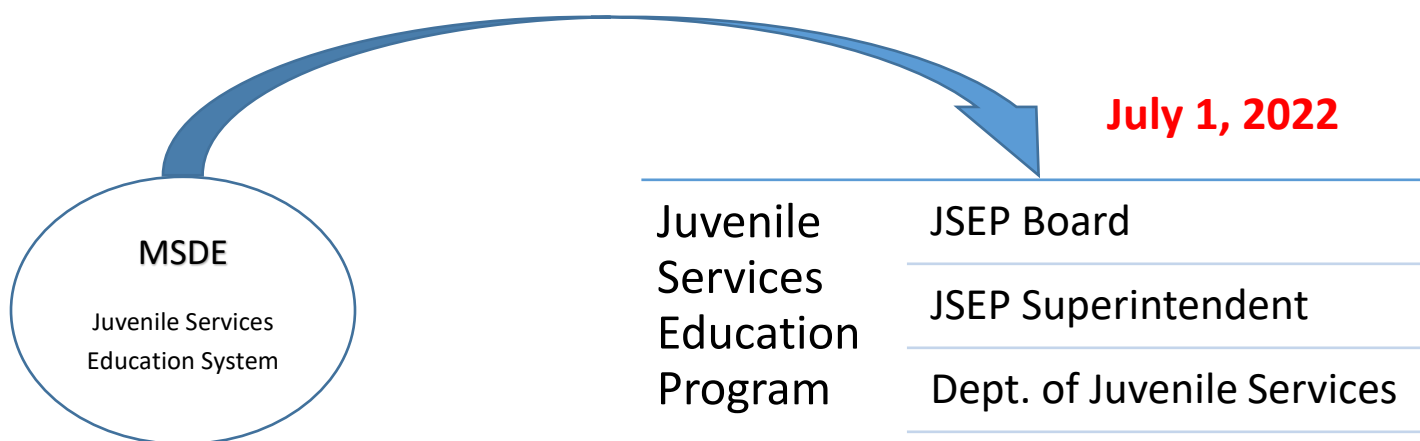
Introduction

During the 2021 Legislative session, the Maryland General Assembly passed and Governor Lawrence J. Hogan Jr., signed into law SB 497, Chapter 145 “Juvenile Services Education Board and Program.”¹ The legislation transitions the responsibility of implementing a juvenile services education program from the Maryland State Department of Education (MSDE) to the Juvenile Services Education Program (JSEP) Board. The JSEP Board is an independent unit within the Maryland Department of Juveniles Services (DJS) and is responsible for the oversight and provision of educational services to all youth placed in DJS operated detention and residential facilities.

The educational programming will transition to the JSEP Board and DJS on July 1, 2022. In order to support a successful transfer of educational responsibilities, MSDE and DJS are working together to support JSEP Board activities, inform staff and exchange information, and assess operational needs. In accordance with enabling legislation and the identified roles and responsibilities of all involved agency units, DJS and MSDE are submitting this report to detail the educational transition plan.

Roles & Responsibilities

The transition plan takes into account the roles and responsibilities, as defined in the enabling legislation, of each unit charged with developing and implementing the new juvenile services education program.



¹ See Appendix A, SB 497 - https://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_147_sb0497E.pdf



JSEP Board

The **JSEP Board** is comprised of 11 members²; the Governor appoints five of those members with the advice and consent of the Senate. Appointed Board members are required to meet monthly and serve four-year terms.

Generally, the JSEP Board responsibilities include:

- Appointing a JSEP Superintendent;
- Developing accredited educational programs;
- Reviewing quality assurance reports;
- Conducting performance reviews of the Superintendent every four years, and;
- Approving the educational curriculum, including post-secondary educational programs, vocational and online programs.



JSEP Superintendent

The **JSEP Superintendent** is responsible for implementing and administering educational programs approved by the JSEP Board, including:

- Meeting with and advising the JSEP Board about programming and outcomes;
- Selecting and directing JSEP staff, and;
- Ensuring implementation of the JSEP Board policies and decisions.



DJS

DJS shares the responsibility of implementing the JSEP and is required to integrate the educational services into the overall residential treatment program. Additionally, DJS provides all support services, including information technology, human resources, budget, and research and program evaluation.



MSDE

MSDE continues to provide educational services in DJS operated facilities until the formal transition occurs, June 30, 2022. MSDE supports the transition of educational programming by providing access to necessary programmatic and budget information, and assisting with joint communications to staff and stakeholders. Oversight and monitoring by the State Board and MSDE will ensure educational programs, including special education, that

² See Appendix B, “JSEP Board Membership and Biography”

are generally under the supervision of the State Superintendent are consistent with their authority over public education in the State. The authority of the State Board of Education and State Superintendent under the Education Article over public education is reaffirmed by the General Assembly's express statement that the new Board is compliant with the Education laws and regulations

Education Transition Plan

The legislation developing the new juvenile services educational program, and initiating the program transition and appointment of the JSEP Board was effective on July 1, 2021. Soon thereafter, DJS and MSDE identified critical components to facilitate the transition of the education programming and to prioritize continuous instruction to youth placed in DJS operated residential facilities. Specifically, the plan focuses on developing agency leadership, constituting and supporting the JSEP Board; implementing a communications strategy; exchanging operational and budgetary information; and assessing programmatic and facility needs.

Developing Agency Leadership

❖ DJS Leadership

Implementing a new juvenile services education program requires a high-level of coordination, communication, and operational management. To lead DJS' efforts in supporting the JSEP and preparing for the transition of educational programming, the Secretary appointed an Executive Director of Educational Programming. The Executive Director is responsible for coordinating all JSEP Board meetings, actions, and reports; assessing DJS educational operations, facility, budget and information technology needs; developing the operating memorandum of understanding between the JSEP Board and DJS; and implementing policies and procedures designed to carry out the shared vision of a successful educational program for our youth.

Constituting and Supporting the JSEP Board

❖ JSEP Board

The enabling legislation requires DJS to staff and support all JSEP Board activities. As such, DJS quickly coordinated with the Governor's Office to identify and fill JSEP Board

positions. The JSEP Board convened their first meeting on Monday, August 9, 2021³, and as the first order of business elected a Chair and Vice Chair. The JSEP Board meets monthly⁴ to support and monitor agency transition plans, and to begin the development of the educational program, including the hiring of a JSEP Superintendent.

❖ **JSEP Superintendent Hiring**

The legislation directs the JSEP Board to appoint a JSEP Superintendent. To accomplish this task, the JSEP Board and DJS staff developed and implemented an aggressive timeline to launch a wide-reaching recruitment effort.

| Recruitment Activity | Target/Completion Date |
|--|-------------------------------|
| Develop Job Description | Completed |
| Publically Post the Position | Completed |
| Media Campaign⁵ | Completed |
| Closing Date | Completed |
| Review Candidates – JSEP Board sub-committee | Completed |
| Initial Interviews – JSEP Board sub-committee | Completed |
| Full Board Interviews – Top Candidates | Scheduled: 12/1/2021 |
| Superintendent Appointment | Target: 12/2021 |

Implementing a Stakeholder Communication Strategy

It is critical to ensure all stakeholders are informed on the transition plan and progress achieved in implementing strategies to promote a successful transfer of educational programming. To that end, DJS and MSDE have made an effort to communicate with and receive feedback from current juvenile services educational staff, current students, the Maryland Professional Employees Council, advocates, justice system stakeholders, local school systems and government officials.

³ The August 9, 2021 and all subsequent meetings can be viewed at <https://djs.maryland.gov/Pages/about-us/JSEP.aspx>

⁴ All future meeting dates can be viewed at <https://djs.maryland.gov/Pages/about-us/JSEP.aspx>

⁵ See Appendix C; “Juvenile Services Education Board Seeks Superintendent of Schools,” September 27, 2021; https://djs.maryland.gov/Documents/press/Juvenile-Services-Education-Board-Seeks-Superintendent-of-Schools_2021.pdf

| Communication Strategy | |
|--|--|
| Juvenile Services Staff Livestream - Provides opportunity for participants to present questions and hear from DJS executive leadership through a virtual statewide meeting. | June 22, 2021 (over 80 participants) Next Livestream: December 2021 |
| Current DJS Facility Youth ⁶ - DJS developed and issued a survey to solicit information and gauge students' educational interests. | Completed: September 10-14, 2021 |
| Update MPEC Union Leadership - DJS updates the Union Leadership on transition plans. | As necessary |
| Weekly State's Attorney Association and Office of the Public Defender Calls - DJS updates on transition plans and information as necessary. | Weekly, as needed. |
| Monthly Judiciary Calls - DJS updates on transition plans and information as necessary. | Monthly, as needed. |
| Training and Briefing Opportunities - Provided updated information in Judicial Trainings - Provided updated information at the Judiciary's CANDO Conference | Completed |

Exchanging Operational and Budgetary Information

❖ MSDE and DJS Coordination

The transition of the education program from MSDE to the JSEP Board and DJS requires strong communication, information sharing, and coordination.

Communication

MSDE and DJS leadership began discussing the transition of educational services with a joint meeting on August 2, 2021. At that time, the agencies established initial lines of communication for information gathering, correspondence, and coordinated transition planning.

⁶ See Appendix D; Survey Results Slide

MSDE and DJS leadership continue to meet monthly to discuss the transition and related objectives to ensure all parties stay informed of the progress and next steps. Additional meetings with representatives from each agency’s support units convene when necessary.

Exchange of Information

The timely exchange of information is critical to a successful transition of education. It is each agency’s priority to ensure that the transition does not result in a lapse of educational services or negatively impact students served through the JSEP. The chart below outlines all information requests and completion status.

| DJS /JSEP Board Requested Information | Completion Status |
|---|-------------------|
| Inventory of contracted services and personnel. | Completed |
| School Calendar Information | Completed |
| Staff Vacancy Reports | Completed |
| MSDE Juvenile Services Education Organizational Structure and Staff Assignments | Completed |
| All current MOUs | Completed |
| Student data related to: <ul style="list-style-type: none"> • Enrollment • Post-Secondary Education Participation • GED • High School Attainment Metrics • Adult Holds | Completed |
| MSDE JSES Curriculum & Instruction <ul style="list-style-type: none"> • Pacing Guides | Completed |
| JSE Human Resources Data <ul style="list-style-type: none"> • Professional Staff Certification | Completed |

Assessing Operational Needs

❖ **Facility Assessments**

DJS executive staff and JSEP Board members are conducting facility visits of all detention and committed facilities to assess educational space, observe programming, and obtain feedback from residential and educational staff. Through this informational gathering process, the JSEP Board and incoming Superintendent will receive suggestions for improvement to education space and programming.

DJS identified office space for the new JSEP Superintendent and administrative team at DJS Headquarters located at 217 East Redwood. DJS is in the process of acquiring the additional space through coordination with the Department of General Services.

❖ **Staff Transition and Staffing Needs**

The legislation requires that all State personnel or contractual staff employed by JSEP on will transfer to DJS on 7/1/2022⁷. Moreover, the statute conveys the authority for the hiring, firing, and assignment of all education staff to the JSEP Superintendent.

Currently, MSDE reports that 167 positions will transfer to DJS on July 1, 2022 to support the JSEP. DJS is working with MSDE and DBM to review all positions and finalize the inventory of staff that will be available to support the new educational program.

MSDE and DJS, with approval from DBM, identified four positions to transfer to the new JSEP to support the transition planning and hiring of the JSEP Superintendent. DJS reclassified one position for the new JSEP Superintendent, and the other three will be available to the incoming Superintendent to assist in building the JSEP administrative team.

❖ **Information & Technology**

DJS and MSDE have identified a plan for transfer and access to information and school technology equipment and systems utilized to support the education program.

Inventory

MSDE has agreed to provide DJS with a comprehensive list of all IT equipment assigned to the juvenile services education schools.

Data Systems

MSDE utilizes PowerSchool® to track and collect enrollment information, attendance and student progress. MSDE has agreed to provide DJS with the PowerSchool® historical data. This will allow DJS to utilize and access the past six years of legacy data collected by MSDE.

IT Infrastructure

DJS, in coordination with the Maryland Department of Information Technology (DoIT), completed IT infrastructure enhancements in each DJS to support access to virtual programming and network upgrades. Currently, DoIT is responsible for the operation of

⁷ SB 497, Chapter 145, page 23.

the MSDE juvenile services IT infrastructure (Wi-Fi controllers, circuits, switchers and routers). DoIT will transfer the operating responsibility to DJS on or before July 1, 2022.

Transfer of Staff Email Accounts

MSDE and DJS agree that DJS will create new accounts on the DJS network and provide logins for all impacted staff and will work with DoIT to migrate the existing account data from the MSDE network to the new accounts. MSDE will have the state g-mail accounts deactivated from their network on or before July 1, 2022.

❖ **Budget Analysis**

The enabling legislation requires that all appropriations held by MDSE to carry out the exclusive functions of the Juvenile Services Education Program transfer to the Department of Juvenile Services on or before July 1, 2022. DJS, MSDE and DBM are working to ensure a transfer of all appropriate funds.

Lastly, DJS requested MSDE provide all current agreements and contracts to ensure there is no lapse in services when JSEP assumes control of the day-to-day education operations and services. MSDE did provide all intergovernmental agreements, and contract information and DJS is reviewing the agreements in terms of scope, services, costs, and renewal. The intergovernmental agreements provided by MSDE include Frederick Community College, Anne Arundel Community College, Baltimore City Community College, and Montgomery County Public Schools.

❖ **Quality Assurance Measures**

The Office of the Inspector General within DJS is responsible for conducting quarterly audits of each educational program beginning in July 2022. DJS staff reviewed current federal and state regulations to identify and determine evaluation metrics and outcomes measures. The JSEP Board is required to review the audit reports each quarter. The Board shall be subject to oversight and monitoring by the State Department of Education and State Board of Education.

Chapter 147

(Senate Bill 497)

AN ACT concerning

Juvenile Services Education Board and Program – Establishment, Powers, and Duties

FOR the purpose of repealing certain provisions of law regarding educational programs for juveniles in residential facilities; establishing the Juvenile Services Education Board; providing that the Board is an independent unit within the Department of Juvenile Services; providing for the budgeting of certain programs and services related to the Department and the Board; requiring the Department and the Board to jointly negotiate a memorandum of understanding; establishing the Juvenile Services Education Program; providing for the composition, terms, staff, and chair and vice chair of the Board; requiring the Board, to the extent practicable, to reflect the diversity of the student population that the Department serves; providing that each Board member is entitled to a certain stipend and reimbursement of certain expenses; requiring the Board to have certain authority and responsibility relating to the juvenile services educational programs in the State beginning on a certain date; requiring the Board to provide certain educational services to certain juveniles; specifying the duties of the Board; authorizing the Department of ~~Juvenile Services~~ to adopt certain regulations; requiring the Department to adopt certain regulations; requiring the Board to meet publicly in accordance with certain requirements; requiring the Board to appoint a Superintendent for the Juvenile Services Education Program; specifying the duties and salary of the Superintendent; specifying the Superintendent's qualifications; requiring the ~~Department~~ Superintendent to implement juvenile services educational programs in the State in accordance with certain requirements; requiring the Department, subject to the memorandum of understanding, to employ certain staff; requiring the Superintendent to submit an implementation plan to the Accountability and Implementation Board on or before a certain date; requiring Expert Review Teams to be sent to all residential facilities by the end of a certain school year; requiring the Governor to include in the annual budget bill a certain appropriation; requiring the Department to notify a juvenile in custody of the juvenile's educational rights; requiring the Board and the Superintendent with the aid of the Department to work cooperatively to implement certain requirements; prohibiting the disenrollment of certain juveniles from certain schools under certain circumstances; requiring the Board to develop certain intake classrooms; requiring the Board and the Superintendent with the aid of the Department, in consultation with county boards of education, to develop a certain postcustody re-enrollment procedure for certain juveniles; requiring the Board to offer certain postsecondary education programs to certain juveniles; authorizing the Board to contract with certain entities for certain purposes; requiring county boards of education to waive certain graduation requirements under certain circumstances; requiring county boards of education to reimburse the Department for certain costs under certain circumstances; requiring the Superintendent with the aid of the

Department to submit a certain report to certain entities on or before a certain date each year; requiring the Board to be subject to ~~a certain audit by the Department of Legislative Services and~~ investigation by the Maryland Office of the Inspector General for Education; requiring the State Department of Education and the Department to submit a certain report to the General Assembly on or before a certain date; requiring the Board, in consultation with local school systems, to examine and make recommendations on certain matters on or before a certain date; requiring the Department to contract with a certain entity, on or before a certain date, to conduct a review of certain policies and practices of the Department, the Board, and the Superintendent and develop recommendations; requiring the entity to submit its findings and recommendations to the Department, the Governor, and the General Assembly on or before a certain date; requiring that a certain office conduct a certain evaluation on or before certain dates; requiring the Juvenile Justice Monitoring Unit of the Office of the Attorney General to have a representative available to attend meetings of the Board; specifying certain personnel requirements for certain employees transferred to the Department; ~~altering the membership of the Correctional Officers' Retirement System to include certain individuals serving in a certain position in the Department on or after a certain date;~~ providing that the provisions of a certain collective bargaining agreement for certain staff continue to apply under certain circumstances; providing that certain employees transferred to the Department of Juvenile Services under this Act be transferred without diminution of certain rights, benefits, employment, or retirement status; requiring the State Department of Education to transfer certain funds on or before a certain date; requiring the Department to distribute certain funds to be used in accordance with the memorandum of understanding; defining certain terms and altering a certain definition; providing for the construction of this Act; and generally relating to the Juvenile Services Education Board and Program.

BY repealing

Article – Education

Section 22–301 through 22–306.1 and 22–307 through 22–310 and the subtitle
“Subtitle 3. Juvenile Services Educational Programs”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 8–201(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 8–201(h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5-404(b)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)

BY repealing and reenacting, with amendments,

Article – Education

Section 5-404(c)(1) and (2) and 5-411(g)(2)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 2021)

BY adding to

Article – Human Services

Section 9-501 through 9-506 to be under the new subtitle “Subtitle 5. Juvenile Services Education Board”; and Section 9-601 through ~~9-606~~ 9-608 to be under the new subtitle “Subtitle 6. Juvenile Services Education Program”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 6-402, ~~8-401(a) and (f), and 8-404~~

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 6-404

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – State Personnel and Pensions~~

~~Section 25-201(a)(10) and (11)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

~~BY adding to~~

~~Article – State Personnel and Pensions~~

~~Section 25-201(a)(12)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 22–301 through 22–306.1 and 22–307 through 22–310 and the subtitle “Subtitle 3. Juvenile Services Educational Programs” of Article – Education of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Correctional Services

8–201.

(a) In this subtitle the following words have the meanings indicated.

(h) (1) “Department of Juvenile Services employee” means a youth supervisor, youth counselor, direct care worker, **DIRECT EDUCATION STAFF MEMBER**, or other employee of the Department of Juvenile Services whose employment responsibility is the investigation, custody, control, or supervision of minors, juvenile delinquents, and youthful offenders who are committed, detained, awaiting placement, adjudicated delinquent, or are otherwise under the supervision of the Department of Juvenile Services.

(2) “Department of Juvenile Services employee” includes an employee of any nonprofit or for–profit entity under contract with the Department of Juvenile Services whose employment responsibility is the investigation, custody, control, or supervision of minors, juvenile delinquents, and youthful offenders as described under paragraph (1) of this subsection.

Article – Education

5–404.

(b) (1) The Board shall adopt guidelines for entities required to submit and carry out implementation plans under this section that include establishing a maximum page length, including appendices, for implementation plans.

(2) State and local government units responsible for implementing an element of the Blueprint for Maryland’s Future shall develop implementation plans consistent with the Comprehensive Implementation Plan that describe the goals, objectives, and strategies that will be used to improve student achievement and meet the Blueprint for Maryland’s Future recommendations for each segment of the student population.

(3) (i) After February 15, 2021, and no later than April 1, 2021, the Department shall develop criteria to be used to recommend approval or disapproval of local school system implementation plans and release of funds under this subtitle.

(ii) The criteria shall be submitted for approval to the Board.

(c) (1) (i) 1. [Each] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, EACH unit responsible for developing an implementation plan under this section shall submit the plan to the Board for approval on or before June 15, 2021.

2. THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT SHALL SUBMIT THE PLAN TO THE BOARD FOR APPROVAL ON OR BEFORE JUNE 15, 2023.

(ii) Each local school system shall submit a copy of its plan to the Department for review and a recommendation of approval or disapproval.

(2) Governmental units shall submit implementation plans on elements of the Blueprint for Maryland's Future under this subsection, including:

(i) Plans from each local school system to implement each element of the Blueprint for Maryland's Future, including how to:

1. Adapt curriculum, instruction, and the organization of the school day to enable more students to achieve college and career readiness by the end of 10th grade, to provide students with needed services including community-partnered behavioral health services if appropriate, and to identify students who are falling behind and develop a plan to get them back on track;

2. Close student achievement gaps listed under § 5-408(a)(2)(i) of this subtitle within the local school system;

3. Avoid the disproportionate placement of students with particular racial, ethnic, linguistic, economic, or disability status characteristics with novice teachers or teachers providing instruction in fields in which they lack expertise; and

4. Use additional funds for teacher collaborative time in accordance with Title 6, Subtitle 10 of this article prioritized based on availability of a sufficient number of high-quality teachers;

(ii) The joint plan of the Department and the Maryland Higher Education Commission for teacher preparation and training that meets the requirements under Title 6 of this article;

(iii) A plan from the Department for the expansion and coordination of Judy Centers under § 5-230 of this title and a plan for the expansion of community-based family support centers under Title 9.5, Subtitle 10 of this article;

(iv) The Department's plan for selection, assembly, and deployment of expert review teams under § 5-411 of this subtitle;

(v) The Department's plan for implementing the teacher career ladder and training Maryland teachers, school leaders, and administrators under Title 6, Subtitle 10 of this article;

(vi) The Career and Technical Education Committee plan for developing rigorous CTE pathways under § 21-207 of this article;

(vii) Plans from each local school system on proposed memoranda of understanding for prekindergarten in accordance with § 7-1A-05 of this article;

(VIII) A PLAN FROM THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT ON THE PROPOSED EDUCATION OF JUVENILES UNDER TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE; and

[(viii)] (IX) Any other implementation plans the Board determines are necessary.

5-411.

(g) (2) (i) Beginning on July 1, 2023, the Department shall send Expert Review Teams to at least 10% of public schools in at least three different local school systems each year.

(ii) AN EXPERT REVIEW TEAM SHALL BE SENT TO EVERY RESIDENTIAL FACILITY IN WHICH JUVENILES ARE EDUCATED IN ACCORDANCE WITH TITLE 9, SUBTITLE 6 OF THE HUMAN SERVICES ARTICLE BY THE END OF THE 2025-2026 SCHOOL YEAR.

(III) An Expert Review Team shall be sent at least once to every public school in the State by the end of the 2030-2031 school year.

Article – Human Services

SUBTITLE 5. JUVENILE SERVICES EDUCATION BOARD.

9-501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BOARD” MEANS THE JUVENILE SERVICES EDUCATION BOARD.

(C) “RESIDENTIAL FACILITY” MEANS ANY FACILITY LISTED IN § 9-226 OF THIS TITLE.

(D) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT.

9-502.

(A) THERE IS A JUVENILE SERVICES EDUCATION BOARD WITHIN THE DEPARTMENT.

(B) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD IS AN INDEPENDENT UNIT WITHIN THE DEPARTMENT.

(C) (1) THE BOARD SHALL BE INCLUDED AS A UNIT WITHIN THE DEPARTMENT FOR PURPOSES OF THE DEPARTMENT’S ANNUAL OPERATING BUDGET.

(2) THE PROGRAMS OVERSEEN BY THE BOARD SHALL BE INCLUDED IN THE BOARD’S BUDGET.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FOLLOWING SUPPORT SERVICES FOR THE BOARD SHALL BE PROVIDED BY EXISTING UNITS IN THE DEPARTMENT AND THE COST OF ANY NECESSARY SUPPORT PROVIDED TO THE BOARD SHOULD BE INCLUDED IN THE BUDGETS OF THOSE UNITS:

(I) INFORMATION AND TECHNOLOGY SERVICES;

(II) PROCUREMENT SERVICES;

(III) FISCAL SERVICES;

(IV) CAPITAL PLANNING AND CAPITAL BUDGETING;

(V) HUMAN RESOURCES;

(VI) FACILITY AND OFFICE MAINTENANCE;

(VII) RESEARCH AND PROGRAM EVALUATION; AND

(VIII) INVESTIGATIONS AND MONITORING.

(2) (1) THE SUPERINTENDENT SHALL HAVE EXCLUSIVE CONTROL OF THE DAY-TO-DAY OPERATION OF JUVENILE EDUCATION SERVICES.

(II) DECISIONS ON THE PROVISION OF EDUCATION, INCLUDING DECISIONS TO HIRE, FIRE, AND ASSIGN STAFF, SHALL BE MADE EXCLUSIVELY BY THE BOARD OR THE SUPERINTENDENT, SUBJECT TO APPROPRIATIONS IN THE STATE BUDGET, AND THE DEPARTMENT HAS NO POWER TO DENY OR MODIFY AN EDUCATION DECISION MADE BY THE BOARD OR THE SUPERINTENDENT.

(E) THE BOARD AND THE DEPARTMENT SHALL, IN ACCORDANCE WITH THIS SECTION, JOINTLY NEGOTIATE A MEMORANDUM OF UNDERSTANDING CAREFULLY DELINEATING THE DUTIES OF EACH IN THE PROVISION OF JUVENILE EDUCATION SERVICES.

9-503.

(A) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) THE SECRETARY;

(2) THE SECRETARY OF HIGHER EDUCATION;

(3) THE STATE SUPERINTENDENT OF SCHOOLS;

(4) A REPRESENTATIVE OF THE PUBLIC SCHOOL SUPERINTENDENTS' ASSOCIATION OF MARYLAND, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE;

(5) THE ATTORNEY GENERAL OF THE STATE, OR THE ATTORNEY GENERAL'S DESIGNEE; ~~AND~~

(6) ONE EDUCATOR EMPLOYED BY THE STATE WHO IS ENGAGED IN THE EDUCATION OF JUVENILES RESIDING IN A RESIDENTIAL FACILITY; AND

~~(6)~~ (7) ~~SIX~~ FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

(B) (1) THE CANDIDATE WHO RECEIVES THE HIGHEST NUMBER OF VOTES IN AN ELECTION BY THE EDUCATORS EMPLOYED BY THE DEPARTMENT SHALL BE THE EDUCATOR MEMBER.

(2) THE TERM OF THE EDUCATOR MEMBER IS 4 YEARS.

(3) AT THE END OF A TERM, THE EDUCATOR MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(4) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CONDUCT THE ELECTION OF THE EDUCATOR MEMBER.

(5) THE EDUCATOR MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD OF EDUCATION UNDER § 6-202 OF THE EDUCATION ARTICLE.

(C) (1) TO THE EXTENT PRACTICABLE, THE APPOINTED MEMBERS OF THE BOARD SHALL REFLECT THE DIVERSITY OF THE POPULATION OF JUVENILES IN THE STATE.

(2) THE APPOINTED MEMBERS OF THE BOARD SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN AT LEAST ONE OF THE FOLLOWING AREAS:

~~(1)~~ **(I) TEACHING OR EDUCATIONAL ADMINISTRATION;**

~~(2)~~ **(II) PRIOR SERVICE ON THE STATE BOARD OF EDUCATION OR A COUNTY BOARD OF EDUCATION;**

~~(3)~~ **(III) SOCIAL WORK;**

~~(4)~~ **(IV) SERVICES FOR INDIVIDUALS WITH DISABILITIES;**

~~(5)~~ **(V) WORKING WITH INSTITUTIONALIZED YOUTH;**

~~(6)~~ **(VI) MENTAL OR BEHAVIORAL HEALTH SERVICES;**

~~(7)~~ **(VII) CIVIL RIGHTS LAW OR ADVOCACY;**

~~(8)~~ **(VIII) DIGITAL LEARNING OR ONLINE ADMINISTRATION; OR**

~~(9)~~ **(IX) HIGHER EDUCATION ADMINISTRATION.**

~~(C)~~ **(D) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.**

(2) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) AN APPOINTED MEMBER WHO IS APPOINTED AFTER A TERM BEGINS SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) TO THE EXTENT PRACTICABLE, THE GOVERNOR SHALL FILL ANY VACANCY FOR AN APPOINTED MEMBER ON THE BOARD WITHIN 60 DAYS OF THE VACANCY.

~~(D)~~ **(E) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER ONLY FOR CAUSE.**

~~(E)~~ **(F) THE BOARD SHALL ELECT FROM AMONG ITS MEMBERS A CHAIR AND A VICE CHAIR.**

~~(F)~~ **(G) ANY ACTION BY THE BOARD SHALL REQUIRE:**

(1) A QUORUM OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING; AND

(2) THE AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING.

~~(G)~~ **(H) EACH MEMBER OF THE BOARD IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

~~(H)~~ **(I) THE DEPARTMENT SHALL STAFF THE BOARD.**

9-504.

(A) BEGINNING JULY 1, 2022, THE BOARD SHALL OVERSEE AND APPROVE ALL EDUCATIONAL SERVICES TO ALL JUVENILES WHO ARE IN A RESIDENTIAL FACILITY.

(B) THE BOARD SHALL:

(1) DEVELOP, RECOMMEND, AND APPROVE FOR EVERY RESIDENTIAL FACILITY AN EDUCATIONAL TRAINING PROGRAM THAT:

(I) MEETS THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE JUVENILES IN THE RESIDENTIAL FACILITY; AND

(II) IS ACCREDITED BY AN APPROVED ACCREDITING AGENCY;

(2) IN CONSULTATION WITH THE JUVENILE JUSTICE MONITORING UNIT AND THE DEPARTMENT, DEVELOP MINIMUM STANDARDS AND A REPORTING STRUCTURE TO MEASURE EDUCATIONAL OUTCOMES AND ASSESS IMPLEMENTATION OF THE JUVENILE SERVICES EDUCATION PROGRAM;

(3) REVIEW A QUALITY ASSURANCE REPORT DEVELOPED BY THE DEPARTMENT EACH QUARTER; AND

(4) CONDUCT A PERFORMANCE REVIEW OF THE SUPERINTENDENT AT LEAST ONCE EVERY 4 YEARS.

(C) THE BOARD SHALL APPROVE POSTSECONDARY EDUCATION PROGRAMS, INCLUDING VOCATIONAL AND ONLINE PROGRAMS, THAT MEET THE NEEDS OF THE JUVENILES IN A RESIDENTIAL FACILITY.

(D) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

9-505.

(A) THE BOARD SHALL MEET PUBLICLY IN THE STATE AT LEAST ONCE PER MONTH AT THE TIMES DETERMINED BY:

(1) A MAJORITY OF THE MEMBERS THEN SERVING;

(2) THE CHAIR OF THE BOARD; OR

(3) THE SECRETARY.

(B) A MAJORITY OF THE MEMBERS THEN SERVING CONSTITUTES A QUORUM.

(C) THE BOARD SHALL:

(1) MAINTAIN MINUTES OF ITS MEETINGS AND ANY OTHER RECORDS THAT IT CONSIDERS NECESSARY;

(2) ON REQUEST, PROVIDE INFORMATION REGARDING ITS BUDGET, ACTIVITIES, AND PROGRAMS; AND

(3) ALLOW TIME FOR PUBLIC COMMENT AT EACH OF ITS MEETINGS.

9-506.

(A) THE BOARD SHALL APPOINT A JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT.

(B) THE SUPERINTENDENT SHALL:

(1) IMPLEMENT AND ADMINISTER THE EDUCATIONAL PROGRAMS APPROVED BY THE BOARD;

(2) OVERSEE THE EDUCATION OF EVERY JUVENILE IN A RESIDENTIAL FACILITY;

(3) MEET WITH AND ADVISE THE BOARD ABOUT EDUCATIONAL PROGRAMS AND OUTCOMES FOR JUVENILES;

(4) SELECT, ORGANIZE, AND DIRECT THE STAFF OF THE JUVENILE SERVICES EDUCATION PROGRAM;

(5) ENSURE THAT THE POLICIES AND DECISIONS OF THE BOARD ARE CARRIED OUT; ~~AND~~

(6) COORDINATE WITH THE DEPARTMENT TO ENSURE THAT THE OPERATION OF JUVENILE EDUCATIONAL SERVICES ARE INTEGRATED WITH THE NONEDUCATIONAL OPERATIONS OF THE DEPARTMENT; AND

(7) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.

(C) THE SUPERINTENDENT:

(1) IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET; AND

(2) SERVES AT THE PLEASURE OF THE BOARD.

(D) THE SUPERINTENDENT:

(1) MUST BE AN EXPERIENCED AND COMPETENT EDUCATOR;

(2) MUST BE A GRADUATE OF AN ACCREDITED COLLEGE OR UNIVERSITY;

(3) MUST HAVE AT LEAST 2 YEARS OF SPECIAL ACADEMIC AND PROFESSIONAL GRADUATE PREPARATION IN AN ACCREDITED COLLEGE OR UNIVERSITY;

(4) MUST HAVE AT LEAST 7 YEARS OF EXPERIENCE IN TEACHING AND ADMINISTRATION; AND

(5) MAY NOT BE A CURRENT MEMBER OF THE BOARD OR HAVE BEEN A MEMBER OF THE BOARD AT ANY TIME DURING THE YEAR IMMEDIATELY PRECEDING THE APPOINTMENT.

(E) THE SUPERINTENDENT MAY HIRE ADDITIONAL STAFF, AS PROVIDED IN THE STATE BUDGET, TO PROVIDE AND ADMINISTER EDUCATIONAL SERVICES WITHIN THE DEPARTMENT.

SUBTITLE 6. JUVENILE SERVICES EDUCATION PROGRAM.

9-601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BOARD” HAS THE MEANING STATED IN § 9-501 OF THIS TITLE.

(C) “FACILITY” MEANS A BUILDING OR BUILDINGS AND RELATED PHYSICAL INFRASTRUCTURE AT A GEOGRAPHICALLY DISTINCT LOCATION AT WHICH THE DEPARTMENT OPERATES A PROGRAM.

(D) “MEMORANDUM OF UNDERSTANDING” MEANS THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD AND THE DEPARTMENT REQUIRED UNDER § 9-502 OF THIS TITLE.

~~(D)~~ (E) “RESIDENTIAL FACILITY” HAS THE MEANING STATED IN § 9-501 OF THIS TITLE.

(F) “SUPERINTENDENT” MEANS THE JUVENILE SERVICES EDUCATION PROGRAM SUPERINTENDENT.

9-602.

THERE IS A JUVENILE SERVICES EDUCATION PROGRAM WITHIN THE DEPARTMENT.

9-603.

(A) (1) BEGINNING JULY 1, 2022, THE DEPARTMENT ~~SHALL~~ AND THE BOARD, SUBJECT TO THE MEMORANDUM OF UNDERSTANDING, JOINTLY SHALL HAVE THE AUTHORITY AND RESPONSIBILITY FOR IMPLEMENTING THE JUVENILE SERVICES EDUCATIONAL PROGRAMS IN THE STATE.

(2) ~~THE DEPARTMENT~~ SUPERINTENDENT SHALL PROVIDE AND OVERSEE EDUCATIONAL SERVICES TO ALL JUVENILES IN A RESIDENTIAL FACILITY.

(B) ~~THE DEPARTMENT~~ SUPERINTENDENT SHALL IMPLEMENT FOR EACH RESIDENTIAL FACILITY AN EDUCATIONAL PROGRAM AS APPROVED BY THE BOARD THAT:

(1) MEETS THE SPECIAL NEEDS AND CIRCUMSTANCES OF THE JUVENILES IN THE RESIDENTIAL FACILITY; AND

(2) IS ACCREDITED BY AN APPROVED ACCREDITING AGENCY.

(C) (1) ~~THE DEPARTMENT,~~ SUBJECT TO THE MEMORANDUM OF UNDERSTANDING, SHALL EMPLOY ANY STAFF NECESSARY TO CARRY OUT THE JUVENILE SERVICES EDUCATION PROGRAM AS PROVIDED IN THE STATE BUDGET.

(2) EDUCATIONAL STAFF IN THE DEPARTMENT SHALL BE SUBJECT TO THE CAREER LADDER AND SALARY PROVISIONS ~~OF THE BLUEPRINT FOR MARYLAND'S FUTURE~~ UNDER TITLE 6, SUBTITLE 10 OF THE EDUCATION ARTICLE.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

(E) ~~NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE DEPARTMENT FROM CONTRACTING~~ THE BOARD MAY AUTHORIZE THE DEPARTMENT TO CONTRACT WITH A NONPROFIT PRIVATE PARTY OR A COUNTY BOARD OF EDUCATION TO PROVIDE EDUCATIONAL SERVICES FOR JUVENILES IN A RESIDENTIAL FACILITY.

(F) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION IN AN AMOUNT SUFFICIENT TO MEET THE REQUIREMENTS OF THIS SUBTITLE.

9-604.

(A) (1) THE DEPARTMENT SHALL NOTIFY A JUVENILE IN CUSTODY OF THE JUVENILE'S EDUCATIONAL RIGHTS.

(2) A JUVENILE IN THE CUSTODY OF THE DEPARTMENT WHO IS ENROLLED IN A PUBLIC SCHOOL AT THE TIME THE JUVENILE IS TAKEN INTO CUSTODY MAY NOT BE DISENROLLED FROM THAT SCHOOL UNTIL AFTER DISPOSITION OF THE JUVENILE'S CASE.

~~(2)~~ (3) THE PUBLIC SCHOOL IN WHICH A JUVENILE UNDER PARAGRAPH ~~(1)~~ (2) OF THIS SUBSECTION IS ENROLLED SHALL PROVIDE THE DEPARTMENT WITH THE EDUCATIONAL MATERIALS NECESSARY FOR THE JUVENILE TO REMAIN CURRENT WITH THE JUVENILE'S EDUCATIONAL PROGRAM AT THE SCHOOL IN WHICH THE JUVENILE IS ENROLLED.

~~(3)~~ (4) (I) IN CONSULTATION WITH THE BOARD AND COUNTY BOARDS OF EDUCATION, THE SUPERINTENDENT WITH THE AID OF THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PROCEDURE TO TRANSFER A COPY OF A JUVENILE'S EDUCATIONAL RECORDS FROM THE SCHOOL IN WHICH THE JUVENILE IS ENROLLED TO A RESIDENTIAL FACILITY IN WHICH THE JUVENILE IS PLACED.

(II) THE EDUCATIONAL RECORDS TRANSFERRED IN ACCORDANCE WITH THIS PARAGRAPH SHALL INCLUDE A COPY OF:

1. AN INDIVIDUALIZED EDUCATION PROGRAM;
2. A 504 PLAN;
3. RECORDS FROM AN ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL) PROGRAM; AND
4. ANY OTHER RELEVANT DOCUMENTS AND INFORMATION.

(B) THE SUPERINTENDENT WITH THE AID OF THE DEPARTMENT, IN CONSULTATION WITH COUNTY BOARDS OF EDUCATION, SHALL DEVELOP AND IMPLEMENT A PROCEDURE FOR THE RE-ENROLLMENT OF A JUVENILE IN A RESIDENTIAL FACILITY BEFORE THE JUVENILE IS RELEASED FROM THE CUSTODY OF THE DEPARTMENT.

(C) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL DEVELOP AN EDUCATIONAL PLAN FOR EACH SCHOOL-AGE JUVENILE IN THE CUSTODY OF THE DEPARTMENT FOR MORE THAN 4 WEEKS THAT:

- (1) IS DESIGNED TO MEET THE JUVENILE'S INDIVIDUAL NEEDS; AND
- (2) ENSURES THAT, TO THE EXTENT PRACTICABLE, THE JUVENILE IS ABLE TO SEAMLESSLY REINTEGRATE INTO THE JUVENILE'S HOME SCHOOL.

(D) (1) THE ~~DEPARTMENT~~ SUPERINTENDENT SHALL OFFER A MINIMUM OF 2.5 HOURS OF A POSTSECONDARY EDUCATION PROGRAM PER WEEKDAY TO JUVENILES IN THE CUSTODY OF THE DEPARTMENT WHO HAVE:

(I) GRADUATED FROM HIGH SCHOOL; OR

(II) OBTAINED A HIGH SCHOOL DIPLOMA BY EXAMINATION IN ACCORDANCE WITH § 11-808 OF THE LABOR AND EMPLOYMENT ARTICLE.

(2) ~~THE DEPARTMENT MAY~~ BOARD MAY AUTHORIZE THE DEPARTMENT TO CONTRACT WITH A NONPROFIT PRIVATE PARTY, COMMUNITY COLLEGE, OR ANY OTHER INSTITUTION OF POSTSECONDARY EDUCATION IN THE STATE TO PROVIDE THE SERVICES REQUIRED BY THIS SUBSECTION.

(E) EACH COUNTY BOARD OF EDUCATION ~~SHALL~~ MAY WAIVE ALL HIGH SCHOOL GRADUATION REQUIREMENTS, INCLUDING REQUIRED COURSEWORK, FOR A JUVENILE WHO IS COMMITTED TO THE CUSTODY OF THE DEPARTMENT AND IS SUBSEQUENTLY TRANSFERRED TO THE LOCAL SCHOOL SYSTEM WHILE IN GRADE 11 OR 12.

9-605.

(A) IN THIS SECTION, “BASIC DAILY COST” MEANS THE AVERAGE AMOUNT SPENT BY A COUNTY BOARD OF EDUCATION FROM COUNTY AND STATE FUNDS FOR THE PUBLIC EDUCATION OF A NONDISABLED CHILD DIVIDED BY THE NUMBER OF ACTUAL SCHOOL DAYS REQUIRED FOR A PUBLIC SCHOOL UNDER § 7-103 OF THE EDUCATION ARTICLE.

(B) A COUNTY BOARD OF EDUCATION SHALL REIMBURSE THE DEPARTMENT FOR THE BASIC DAILY COST FOR EACH CHILD WHO WAS DOMICILED IN THE COUNTY PRIOR TO PLACEMENT WITH THE DEPARTMENT IF THE CHILD:

(1) IS IN A FACILITY OR RESIDENTIAL FACILITY;

(2) IS IN THE CUSTODY OF THE DEPARTMENT FOR 15 CONSECUTIVE DAYS OR MORE;

(3) DOES NOT MEET THE CRITERIA FOR SHARED STATE AND LOCAL PAYMENT OF EDUCATIONAL COSTS AS PROVIDED IN §§ 8-406 AND 8-415 OF THE EDUCATION ARTICLE; AND

(4) WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER ~~§ 5-202~~ § 5-201 OF THE EDUCATION ARTICLE.

9-606.

(A) (1) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1 THEREAFTER, THE SUPERINTENDENT WITH THE AID OF THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE AGGREGATE EDUCATIONAL OUTCOMES OF THE PROGRAMS REQUIRED BY THIS SUBTITLE AT EACH RESIDENTIAL FACILITY.

(2) THE SUPERINTENDENT’S REPORT SHALL INCLUDE:

(I) STUDENT OUTCOMES;

(II) EXTERNAL ORGANIZATIONAL PARTNERSHIPS; AND

(III) TRANSITIONS BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT.

(3) THE SUPERINTENDENT SHALL REPORT THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE AGGREGATE AND DISAGGREGATED BY:

(I) RACE;

(II) ETHNICITY;

(III) GENDER;

(IV) ENGLISH PROFICIENCY STATUS;

(V) DISABILITY STATUS; AND

(VI) FAMILIAL INCOME.

(B) THE BOARD SHALL BE SUBJECT TO:

~~(1) AUDITS BY THE OFFICE OF LEGISLATIVE AUDITS IN THE DEPARTMENT OF LEGISLATIVE SERVICES;~~

~~(2)~~ INVESTIGATION BY THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION; AND

~~(3)~~ (2) OVERSIGHT AND MONITORING BY THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION.

9-607.

(A) (1) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL CONTRACT WITH A PUBLIC OR PRIVATE ENTITY TO CONDUCT AN EMPIRICAL EVALUATION OF THE BOARD'S, THE SUPERINTENDENT'S, AND THE DEPARTMENT'S POLICIES AND PRACTICES REGARDING THE EDUCATIONAL SERVICES PROVIDED TO JUVENILES IN RESIDENTIAL FACILITIES.

(2) IN CONDUCTING THE STUDY REQUIRED UNDER THIS SUBSECTION, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REVIEW THE EFFECTIVENESS OF THE BOARD'S, THE SUPERINTENDENT'S, AND THE DEPARTMENT'S CURRENT POLICIES AND PRACTICES, INCLUDING:

(I) STUDENT EDUCATIONAL OUTCOMES;

(II) WHETHER THE EDUCATIONAL PLANS REQUIRED UNDER § 9-604(C) OF THIS SUBTITLE ARE MEETING JUVENILE NEEDS;

(III) STUDENT DISCIPLINARY OUTCOMES;

(IV) HOW EFFICIENTLY STUDENTS TRANSITION BETWEEN ENROLLMENT IN PUBLIC SCHOOL AND THE CUSTODY OF THE DEPARTMENT, INCLUDING:

1. HOW WELL EDUCATIONAL RECORDS ARE TRANSFERRED BETWEEN THE DEPARTMENT AND COUNTY BOARDS;

2. HOW EFFICIENTLY JUVENILES ARE RE-ENROLLED IN PUBLIC SCHOOL AFTER BEING RELEASED FROM THE CUSTODY OF THE DEPARTMENT; AND

3. HOW WELL THE EDUCATION THE JUVENILE RECEIVES WHILE UNDER THE CUSTODY OF THE DEPARTMENT MATCHES WITH THE EDUCATION RECEIVED IN THE JUVENILE'S PUBLIC SCHOOL;

(V) THE QUALITY OF THE CURRICULUM;

(VI) HOW CONDUCIVE THE EDUCATIONAL SETTING IS TO LEARNING; AND

(VII) ACCESS TO MENTAL HEALTH SERVICES.

(3) THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL, AFTER COMPLETING ITS REVIEW, DEVELOP RECOMMENDATIONS TO IMPROVE THE EDUCATION DELIVERED UNDER THIS SUBTITLE.

(B) ON OR BEFORE OCTOBER 1, 2026, THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE DEPARTMENT, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

9-608.

(A) IN THIS SECTION, "OFFICE" HAS THE MEANING STATED IN § 8-401 OF THE STATE GOVERNMENT ARTICLE.

(B) THE OFFICE SHALL CONDUCT AN EVALUATION OF THE BOARD AND THE SUPERINTENDENT, IN ACCORDANCE WITH § 8-404 OF THE STATE GOVERNMENT ARTICLE, ON OR BEFORE:

(1) JULY 1, 2027; AND

(2) JULY 1, 2030.

Article – State Government

6-402.

(a) There is a Juvenile Justice Monitoring Unit of the Office of the Attorney General.

(b) The function of the Unit is to investigate and determine whether the needs of children under the jurisdiction of the Department of Juvenile Services are being met in compliance with State law, that their rights are being upheld, and that they are not being abused.

6-404.

The Unit shall:

- (1) evaluate at each facility:
 - (i) the child advocacy grievance process;
 - (ii) the Department's monitoring process;
 - (iii) the treatment of and services to youth;

(iv) the physical conditions of the facility; and

(v) the adequacy of staffing;

(2) review all reports of disciplinary actions, grievances, and grievance dispositions received from each facility and alterations in the status or placement of a child that result in more security, additional obligations, or less personal freedom;

(3) receive copies of the grievances submitted to the Department;

(4) perform unannounced site visits and on-site inspections of facilities;

(5) receive and review all incident reports submitted to the Department from facilities;

(6) receive reports of the findings of child protective services investigations of allegations of abuse or neglect of a child in a facility;

(7) ensure that each facility is in compliance with the regulations applicable to residential facilities;

(8) MONITOR THE IMPLEMENTATION OF EDUCATIONAL PROGRAMS AT EACH RESIDENTIAL FACILITY;

[(8)] (9) collaborate with the Department, the Department of Human Services, the Maryland Department of Health, and the Division of Children and Youth of the Governor's Office of Crime Prevention, Youth, and Victim Services in all matters related to the licensing and monitoring of children's residential facilities; and

[(9)] (10) have a representative available to attend meetings of the advisory boards established under § 9-230 of the Human Services Article **AND MEETINGS OF THE JUVENILE SERVICES EDUCATION BOARD ESTABLISHED UNDER § 9-502 OF THE HUMAN SERVICES ARTICLE.**

8-401.

(a) In this subtitle the following words have the meanings indicated.

(f) "Office" means the office in the Department of Legislative Services designated by the Executive Director of the Department.

8-404.

(a) When directed by the Legislative Policy Committee, the Joint Audit and Evaluation Committee, the Executive Director, the Director of the Office of Policy Analysis, or the Director of the Office of Program Evaluation and Government Accountability, the Office shall conduct an evaluation of a governmental activity or unit and the statutes related to the governmental activity or unit.

(b) The Office, in consultation with the committees of jurisdiction, shall develop a work plan for an evaluation conducted under subsection (a) of this section.

(c) The evaluation report for an evaluation conducted under subsection (a) of this section:

(1) shall be consistent with the work plan developed under subsection (b) of this section; and

(2) may address the governmental activity's or unit's:

(i) efficiency;

(ii) effectiveness;

(iii) role in protecting consumers;

(iv) sufficiency of resources; and

(v) accomplishment of legislative objectives.

(d) On completion, the Department shall submit each evaluation report, including draft legislation to implement any recommended statutory changes, to the committees of jurisdiction.

~~Article State Personnel and Pensions~~

~~25-201.~~

~~(a) Except as provided in subsection (b) of this section, this subtitle applies only to:~~

~~(10) an individual serving as a Department of Juvenile Services employee in one of the following positions on or after July 1, 2018:~~

~~(i) a community detention officer or community detention supervisor;~~

~~(ii) a youth transportation officer, youth transportation officer lead, youth transportation officer supervisor, or youth transportation officer trainee;~~

~~(iii) a resident advisor, resident advisor lead, resident advisor supervisor, or resident advisor trainee; or~~

~~(iv) a youth recreation specialist; [and]~~

~~(11) an individual serving as a Department of Public Safety and Correctional Services employee in one of the following positions on or after July 1, 2018:~~

~~(i) a parole and probation assistant regional administrator;~~

~~(ii) a psychology services chief;~~

~~(iii) a correctional maintenance officer supervisor;~~

~~(iv) a correctional maintenance officer manager;~~

~~(v) a correctional maintenance services officer;~~

~~(vi) a correctional maintenance services supervisor; or~~

~~(vii) a correctional maintenance services manager; AND~~

~~**(12) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE SERVICES DIRECT EDUCATION STAFF MEMBER ON OR AFTER JULY 1, 2022.**~~

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, the State Department of Education and the Department of Juvenile Services shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a report detailing plans for the transition of juvenile services educational programs to the Juvenile Services Education Program established under Section 2 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2021, the Juvenile Services Education Board established under Section 2 of this Act shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a report that meets the requirements of this section.

(b) In consultation with local school systems, the Juvenile Services Education Board shall examine and report on how, before the disposition of a student's juvenile case, to meet the needs of a student who:

(1) is dually enrolled in the Juvenile Services Education Program and a local school system; and

(2) has an individualized education program or other special education plan.

(c) The Juvenile Services Education Board shall examine and make recommendations regarding funding for the Juvenile Services Education Program established under Section 2 of this Act, including recommendations for any improvements.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, any State personnel or contractual employee who is employed in the Juvenile Education Services Program within the State Department of Education on June 30, 2022, shall, on July 1, 2022, be transferred to the Department of Juvenile Services to be employed in accordance with this Act.

(b) Any State personnel or contractual employee involved in a transfer to the Department of Juvenile Services under this section shall:

(1) if applicable, remain in the State Personnel Management System;

(2) remain in a position that is comparable to or most closely compares to their former position, without further examination or qualification;

(3) receive no diminution in compensation or accumulated leave solely as a result of the transfer; and

(4) if applicable, continue in the same salary grade in the Department of Juvenile Services.

SECTION ~~4~~ 6. AND BE IT FURTHER ENACTED, That the provisions of any collective bargaining agreement for staff in the Juvenile Services Education Program shall continue to apply until the bargaining unit for the staff and the State negotiate a new collective bargaining agreement.

~~SECTION 5. AND BE IT FURTHER ENACTED, That all employees who are transferred to the Department of Juvenile Services as a result of this Act shall be transferred without diminution of their rights, benefits, employment, or retirement status.~~

SECTION 7. AND BE IT FURTHER ENACTED, That an individual who is an employee of the Juvenile Services Education Program on June 30, 2022, and remains a Department of Juvenile Services direct education staff member on July 1, 2022, shall remain a member of the Employees' Pension System as provided under Title 23 of the State Personnel and Pensions Article.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) On or before July 1, 2022, all appropriations held by the State Department of Education made to carry out the exclusive functions of the Juvenile Services Education Program shall be transferred to the Department of Juvenile Services.

(b) The Department of Juvenile Services shall distribute the appropriations transferred in accordance with subsection (a) of this section to the Juvenile Services Education Board, established under Section 2 of this Act, to be used in accordance with the memorandum of understanding jointly agreed to by the Department of Juvenile Services and the Juvenile Services Education Board.

SECTION ~~5. 6.~~ 9. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Approved by the Governor, May 18, 2021.

Appendix B

JSEP Board

The JSEP Board is comprised of 11 members, five of those members are appointed by the Governor with the advice and consent of the Senate. Appointed Board members are required to meet monthly and serve four-year terms.

Generally, the JSEP Board responsibilities include:

- The recruitment and hiring of a JSEP Superintendent;
- Developing educational programs that meet the needs of the youth, and is accredited;
- Reviewing quality assurance reports;
- Conducting a performance review of the Superintendent every four years, and;
- Approving the educational curriculum, including post-secondary educational programs, and vocational and online programs that meet the needs of the youth.

Board Members

Sam Abed, Secretary, Department of Juvenile Services

Since 2011, Sam Abed has been Secretary of the Maryland Department of Juvenile Services. Most recently, he served as the Chair of the State's Juvenile Justice Reform Council. Previously, Abed served as Deputy Director of Operations at the Virginia Department of Juvenile Justice, with direct supervision over the juvenile justice operations, including the supervision of six juvenile correctional facilities and 32 court service units statewide. Prior to his time as the Deputy Director of Operations, Abed served as Assistant Commonwealth Attorney for the Office of the Sussex County Commonwealth's Attorney as well as the Office of the City of Norfolk Commonwealth's Attorney. He also served as Commissioner for the Virginia Commission for National and Community Service. Abed received a B.S. in Psychology from the Virginia Polytechnic Institute and State University, and completed an internship at the American University in Cairo, Arabic Language Institute. He received his Juris Doctor from the University of Richmond School of Law. He is a resident of Baltimore City.

James D. Fielder, Jr., Secretary of Higher Education

Since 2015, Dr. James D. Fielder, Jr. has been the Secretary for the Maryland Higher Education Commission. He is an effective and highly regarded executive and public servant with a passion for leading change, focused on improving the economic well-being of Marylanders through educational and business opportunity. Additionally, he has been appointed by four Maryland governors, providing his talents and expertise in numerous leadership capacities. These include: Secretary of Appointments; Secretary of Labor, Licensing and Regulation; Deputy & Acting Secretary for Business and Economic Development; Assistant Secretary for Department of Economic & Employment Development; Member of Governor Hogan's Transition Team; and his current position as Secretary of the Maryland Higher Education Commission. Fielder attended the University of Maryland, College Park, where he received a B.S., and M.Ed. He later received his Ph.D. from Michigan State University.

Mohammed Choudhury, State Superintendent of Schools

On July 1, 2021, Mohammed Choudhury was appointed Maryland State Superintendent of Schools. He is responsible for leading the Maryland State Department of Education (MSDE) and the State's education policy through the implementation of the Blueprint for Education and emergence from the Covid-19 pandemic. Previously serving as Associate Superintendent and Chief Strategy, Talent and Innovation Officer for the San Antonio Independent School District, he brings his steadfast commitment to equity, innovation and excellence in public education to Maryland. Choudhury started his career as a teacher in the Los Angeles Unified School District and then served as the Director of Transformation and Innovation for the Dallas Independent School District.

Sharon Stanley Merriweather, Maryland Attorney General Designee

Sharon Stanley Merriweather is an Assistant Attorney General with the Maryland Office of the Attorney General. She is currently the Principal Counsel for the Maryland Health Benefit Exchange where she provides legal counsel regarding healthcare reform, the Affordable Care Act, government regulatory law, government contracting, and data privacy and security matters. From 2006-2011, Merriweather served as Assistant Attorney General to the Juvenile Justice Monitoring Unit, providing legal advice and counsel on issues such as drafting and negotiating agreements, reviewing legislation, and complying with federal and State laws. Merriweather earned a B.A. from the University of Delaware and received her law degree from the University of Maryland School of Law.

Dr. Peter Leone recently retired from the University of Maryland, College Park, where he taught in the College of Education and served for many years as the director of the National Center on Education, Disability, and Juvenile Justice. Dr. Leone earned his Ph.D. in special education from the University of Washington in Seattle. He has published extensively in the area of education for youth in the juvenile justice system and served as a consultant and expert witness on this issue throughout the United States.

Dr. Catherine Gammage is an experienced educator who holds a doctorate in organizational leadership from Abilene Christian University. She most recently served as the principal at the Silver Oak Academy in Keymar, Maryland for nine years. Her work at Silver Oak included developing workforce and apprenticeship programming for children in the juvenile justice system. Dr. Gammage has also worked as an educator in Hawaii and Virginia, with a special focus on students with disabilities and early childhood special education.

Grace Reusing is an attorney with the Maryland Office of the Public Defender. For nearly a decade, she has focused her work on monitoring the conditions of confinement for justice-involved youth and ensuring the provision of quality educational services for her clients. She previously served as the Deputy District Public Defender in Baltimore City. She graduated from the University of Maryland Law School and is a licensed attorney in both Maryland and Pennsylvania.

Dr. Bernard Sadusky serves as Executive Director for the Maryland Association of Community Colleges. He took this role in July 2012, after completing a year of service as interim superintendent at the Maryland State Department of Education. Previously, Dr. Sadusky served as superintendent of schools in Queen Anne's County from 1994 to 2007, and spent more than 30 years in the Queen Anne's school system as an administrator and teacher. He was recognized as Maryland's Superintendent of the Year in 2007. He holds a doctorate in educational administration from Nova-Southeastern University.

Dr. Tracey L. Durant is the Executive Director of Equity for Baltimore City Public Schools, where she is responsible for leading system-wide initiatives designed to promote equitable practices, systems, and structures that ensure positive educational outcomes. Prior to assuming her current position, she served as a Specialist in the Department of Equity and Cultural Proficiency for Baltimore County Public Schools. She is a College Bound Foundation Distinguished Alumni and was named one of the Daily Record's Top 100 Women in 2018. She holds a doctorate in higher education from Morgan State University.

Richard Stevenson III, Educator Member, is a special education teacher at Garrett Children's Center (GCC). His teaching career began with four years of teaching Preschool Special Education at Wiley Ford Primary School in West Virginia, followed by the position of Teacher/Behavior Intervention Specialist for grades 3-8 at Frankfort Intermediate in West Virginia, where he spent four years teaching a self-contained classroom for students with behavioral and emotional needs. This led to a similar position at Fort Hill High School in Cumberland, MD, which lasted for three years, followed by a position back to the elementary side at South Penn Elementary in Cumberland, MD, to again teach students with behavioral and emotional disorders. Two years ago he moved to JSES to become a resource teacher at Meadow Mountain Youth Center. Upon the closure of Meadow Mountain, he took his position at Garrett Children's Center. Due to COVID closures he is currently working at Green Ridge Youth Center until the reopening of GCC. Throughout his teaching career he has been involved in the leadership, discipline, and administrative aspects, assisting and acting as an administrator at each of his different assignments. Those administrative roles include: Building Designee at both Wiley Ford Primary and Frankfort Intermediate, Teacher in Charge at South Penn Elementary and CPI trainer in both Mineral County, WV and Maryland. He received his Bachelor's degree in Early Childhood education and a Masters Degree in Educational Leadership from Frostburg State University and currently holds certifications in early childhood/elementary education, Special Education birth - Adult, and Administration. He currently resides in Western Maryland with his wife and three children.

Dr. Monica Goldson, Chief Executive Officer for Prince George's County Public Schools (PGCPS), is the dedicated and dynamic leader of the 20th largest school district in the nation. She began her career as a high school mathematics teacher with plans to become an actuary. Within her first few weeks on the job, she realized that education was her true calling. She steadily moved up the administrative ranks, serving in such roles as principal, associate superintendent, deputy superintendent, and chief operating officer prior to her appointment as CEO. Dr. Goldson holds three degrees from Historically Black Colleges and Universities (HBCUs) – a bachelor's degree in Mathematics from Florida A&M University, a master's degree in Elementary and Secondary School Administration from Bowie State University, and a doctorate in Educational Administration and Policy from Howard University. She has two adult sons, both graduates of Prince George's County Public Schools.

Boyd K. Rutherford
Lt. GovernorLarry Hogan
GovernorSam Abed
Secretary**FOR IMMEDIATE RELEASE**
September 27, 2021**CONTACT:**
Eric Solomon
DJS Communications Director
(O) 410-230-3164 (C) 443-492-9781**Juvenile Services Education Board Seeks Superintendent of Schools**

Baltimore, MD – The newly created Juvenile Services Education Program (JSEP) Board, within the Department of Juvenile Services (DJS), is recruiting for a Superintendent of Schools. The Department is implementing a new educational program for its youth that will transition from the Maryland State Department of Education (MSDE) to JSEP, starting on July 1, 2022.

The Superintendent vacancy is posted on the [Department of Budget and Management's State of Maryland Jobs Openings Webpage](#). Recruitment will remain open for 30 days. Human Resources will then categorize all qualified applicants and provide a list to the Board's subcommittee. Members of the subcommittee will conduct interviews and present their recommendations to the full JSEP Board.

"Hiring a Superintendent is one of the most important jobs placed upon the JSEP Board," said Board Chair Grace Reusing. "We are in the process of a rigorous national search and plan to have the new Superintendent in place by January 2022."

According to the job description, "The Superintendent of JSEP will have a unique opportunity to improve educational opportunities, choices, and quality of instruction for thousands of children committed to DJS operated juvenile justice settings in Maryland. The JSEP Superintendent must believe deeply in, and be motivated by, the JSEP mission to provide an innovative learning environment that meets each student's unique needs. The Superintendent of JSEP will champion equitable, high quality, holistic and individualized education for a unique student population, identify metrics and communicate high expectations for JSEP, and drive related transformation efforts. The Superintendent will build a broad base of support through engagement with policy leaders at the state and local levels. To accomplish this bold and critical work, the JSEP School Board is seeking a seasoned, tested, high-caliber leader."

During the 2021 session, the Maryland General Assembly passed and Governor Hogan signed into law Senate Bill 497, which transfers the responsibility of implementing educational programming from the Maryland State Department of Education to the Juvenile Services Education Board.

Senate Bill 497 establishes the Juvenile Services Education Program Board to oversee and provide for educational services to all youth placed in a DJS-operated detention and residential treatment facility. The Board includes appointees from the Governor, the State Superintendent of Schools, representatives from DJS, MSDE, Higher Education, the Attorney General's Office, a representative of the Public Schools Superintendents' Association, and a Juvenile Services Educator member. A complete list of participants, as well as agendas, minutes, and videos of each Board meeting, can be found on the [Department's website](#).

Any questions regarding this vacancy can be emailed to the DJS Human Resources Office at djs.careers@maryland.gov.

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Appendix D



Maryland

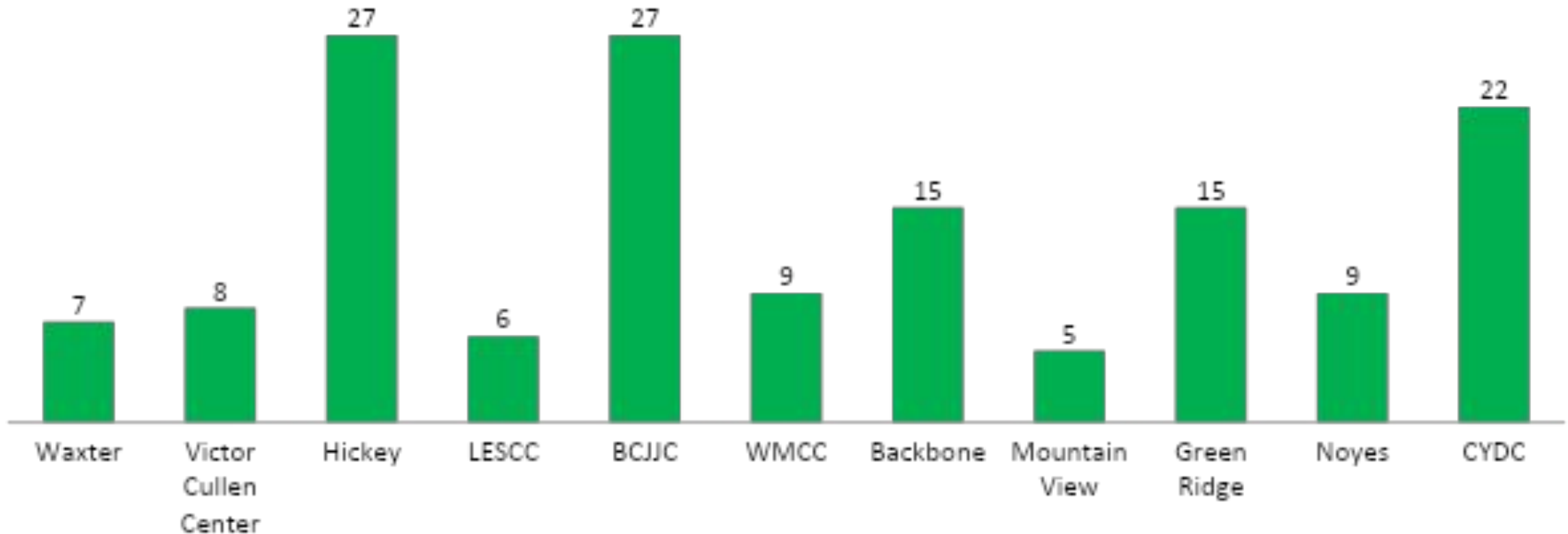
DEPARTMENT OF
JUVENILE SERVICES

DJS Youth Education Program Survey Results

October 6, 2021

Surveyed Youth by Facility

- Overall, 150 youth completed the survey. Based on a facility census of 168 at the time the survey was administered, this represents a response rate of nearly 90%.

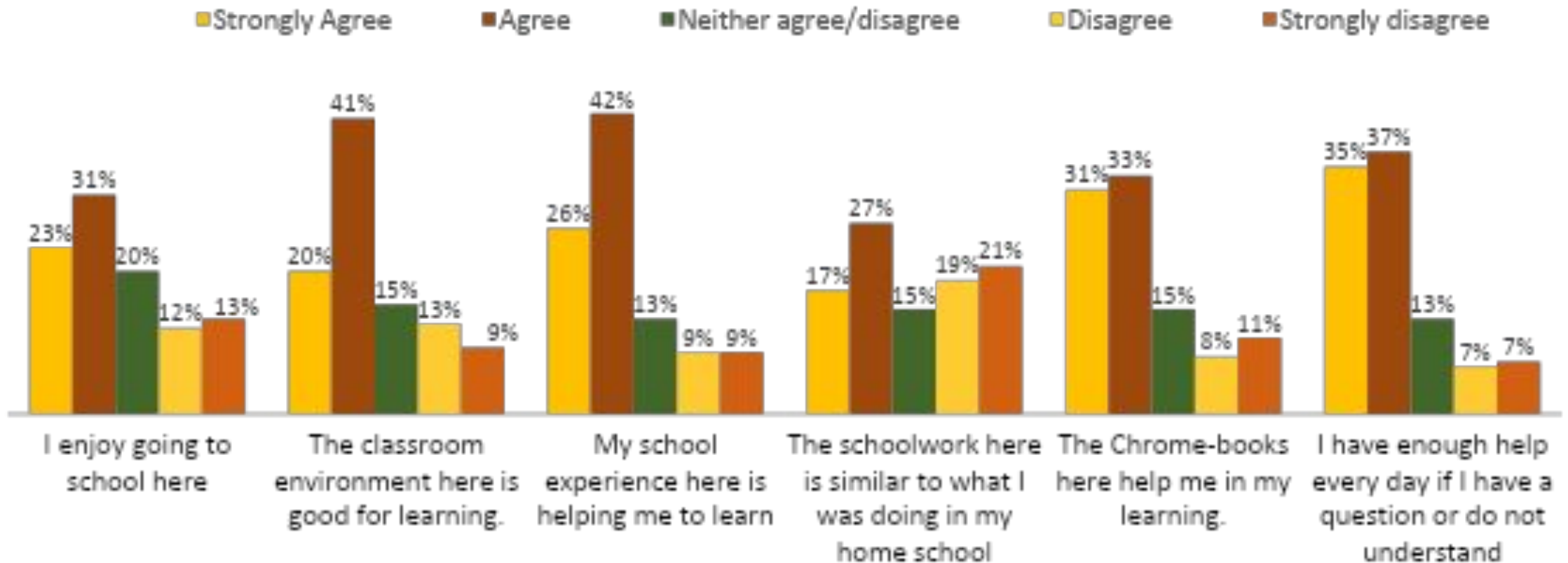


Survey Respondent Demographics

- 75% of the youth completing the survey were between the ages of 15 and 17.
- Male youth accounted for 91% of survey respondents.
- By race/ethnicity, the responding youth were:
 - 71% Black/African American
 - 11% White
 - 13% Hispanic/Latino
 - 5% Asian, American Indian/Alaska native, other, or no response

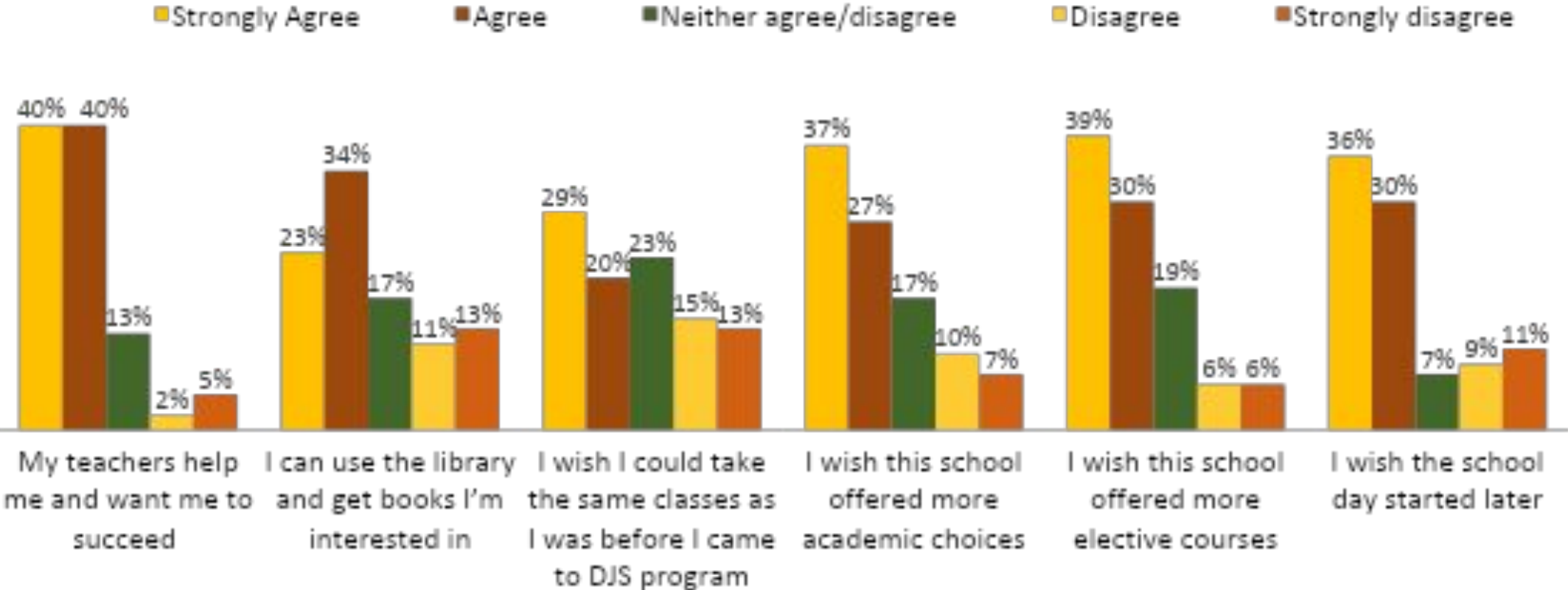
Youth Find Classroom Experience Helpful

- More than 60% of youth surveyed believe their school experience is helpful and conducive to learning.
- Students indicated the work in facility schools is different from what they did in their home schools.



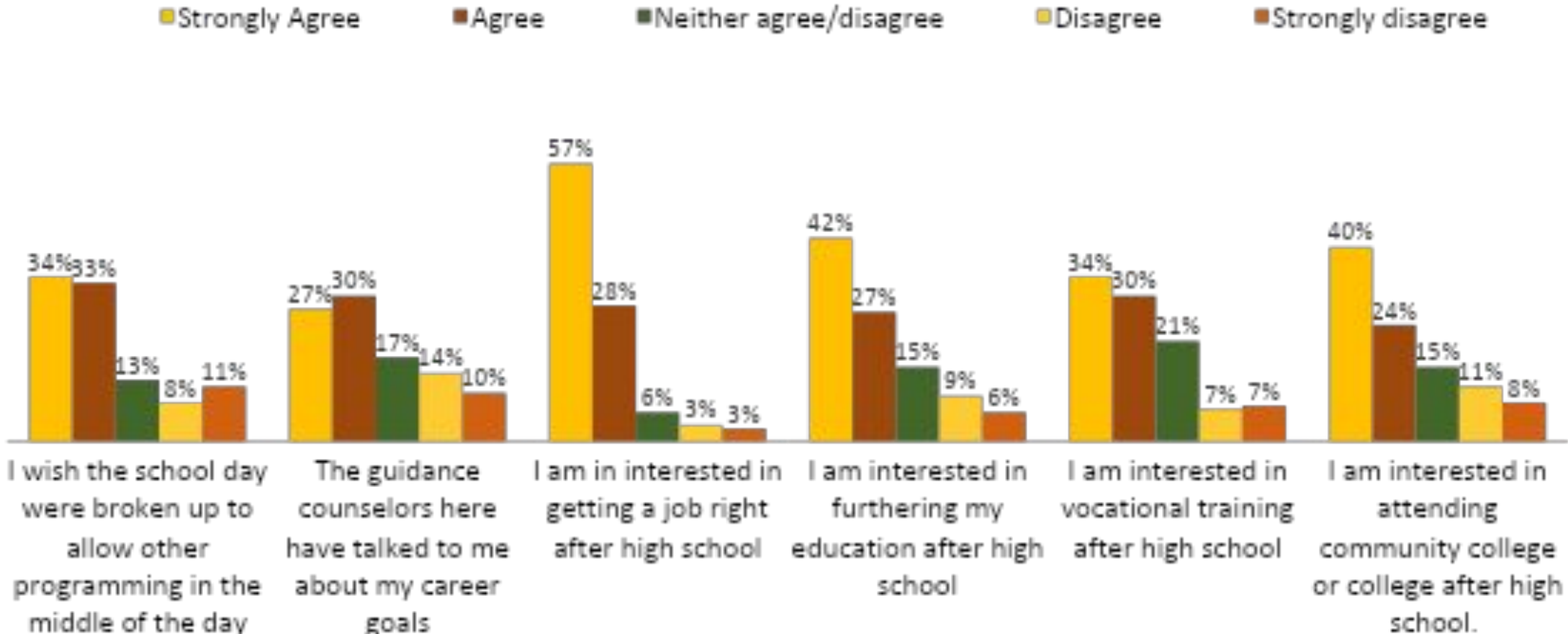
Youth Want More Choices, Including Electives

- 80% of youth felt that their teachers help them and want them to succeed.
- Most youth want more academic choices and elective courses.

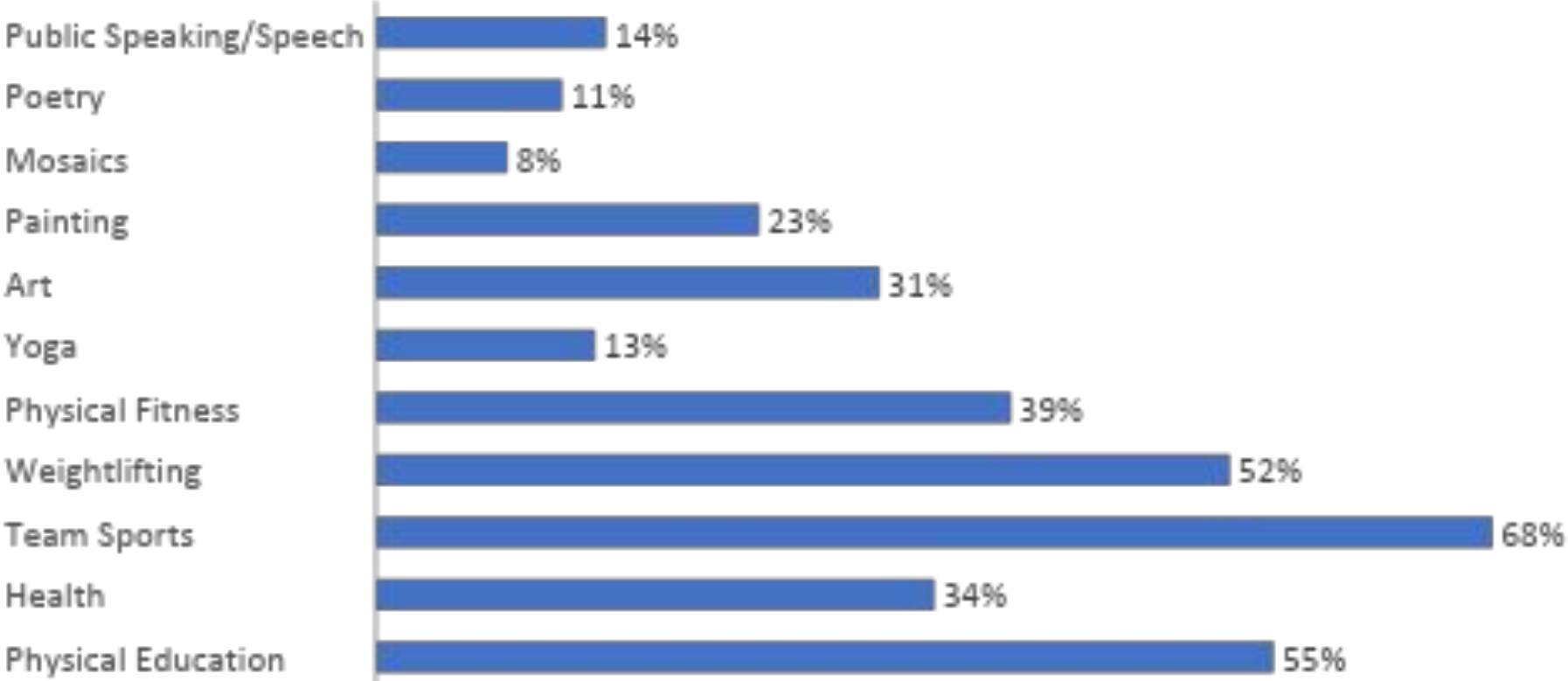


Most Youth Express Education, Career Interests

- Most youth want to further their education beyond high school.
- Counselors could engage youth more often about their education and career goals.



Team Sports, Physical Education Lead Youth Elective Course Interests



Auto/Diesel Mechanics, IT Lead Youth Vocational Interests

