

Chapter 323

(Senate Bill 595)

AN ACT concerning

Residential Boarding Education Programs for At-Risk Youth – Eligibility

FOR the purpose of establishing a certain residential boarding education program for students enrolled in certain grades; providing that certain students shall be eligible to participate in the program if an operator files a certain plan; requiring operators of the program to meet certain qualifications, adopt certain standards, submit a certain charter and bylaws, and conduct certain outreach programs; providing that the program may be part of a certain other program; requiring an operator to submit a certain plan to the State Department of Education that includes certain information; requiring the Department to review and approve a plan if it is consistent with certain educational purposes; and generally relating to residential boarding education programs for at-risk youth in grade 7 or higher.

BY repealing and reenacting, without amendments,
Article – Education
Section 8–701, 8–702, and 8–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 8–703
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 8–704.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

8–701.

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

(b) “At-risk youth” means an individual who meets at least two of the eligibility criteria determined by the Department and an operator that may include:

- (1) Being eligible for free or reduced price meals;
- (2) A record of suspensions, office referrals, or chronic truancy;
- (3) A failure to achieve a proficient or advanced level on State assessments in reading or mathematics, or both;
- (4) Having a disability;
- (5) A referral from a teacher, counselor, social worker, or community-based service organization;
- (6) The head of household is a single parent;
- (7) The head of household is not a custodial parent;
- (8) The adjusted gross family income is below the federally established poverty guidelines;
- (9) The family receives temporary cash assistance under the State Family Investment Program; or
- (10) A member of the family has been incarcerated.

(c) “Board” means the Board of Trustees of Residential Boarding Education Programs.

(d) “Operator” means a private nonprofit or public entity that develops and operates a program.

(e) “Program” means a residential boarding education program that includes:

- (1) A remedial curriculum for middle school grades;
- (2) A college-preparatory curriculum for high school grades;
- (3) Extracurricular activities such as athletics and cultural events;
- (4) College admissions counseling;
- (5) Health and mental health services;
- (6) Tutoring;

- (7) Community service opportunities; and
- (8) A residential student life program.

8–702.

A residential boarding education program for at-risk youth shall be operated under the supervision of the Department.

8–703.

(A) A student shall be eligible to participate in a program if the student is:

- (1) A disadvantaged child as defined in § 8–101 of this title;
- (2) An at-risk youth;
- (3) A resident of the State; and

(4) **[Currently] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,** enrolled in grade 5 or grade 6.

(B) NOTWITHSTANDING SUBSECTION (A)(4) OF THIS SECTION, A STUDENT ENROLLED IN GRADE 7 OR HIGHER SHALL BE ELIGIBLE TO PARTICIPATE IN A PROGRAM IF:

(1) THE STUDENT IS OTHERWISE ELIGIBLE UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) AN OPERATOR FILES AN APPROPRIATE PLAN UNDER § 8–704.1 OF THIS SUBTITLE.

8–704.

(a) The Department may contract with an operator to provide at-risk youth in the State with the opportunity to participate in a program.

(b) The operator shall meet the qualifications established by the Department including:

- (1) Previous experience with a comparable program;
- (2) Measured success with a comparable program; and

(3) The capacity to finance and secure private funds for the development of a campus for the program.

(c) (1) The operator shall adopt written standards for the admission and dismissal of students.

(2) The standards and any amendments shall be submitted to the State Board for approval.

(3) The State Board may require modifications to the standards as it considers necessary.

(d) The operator shall submit its charter and bylaws to the State Board for approval.

(e) The operator shall conduct an outreach program for each local education agency in the State to:

(1) Provide information to the local education agency about the program;
and

(2) Encourage student recruitment and participation from each county in the State.

8-704.1.

(A) THE DEPARTMENT MAY CONTRACT WITH AN OPERATOR WHO MEETS THE REQUIREMENTS OF § 8-704 OF THIS SUBTITLE TO PROVIDE AT-RISK YOUTH IN THE STATE ENROLLED IN GRADE 7 OR HIGHER WITH THE OPPORTUNITY TO PARTICIPATE IN A PROGRAM.

(B) THE PROGRAM UNDER THIS SECTION MAY BE A PART OF THE PROGRAM UNDER § 8-704 OF THIS SUBTITLE.

(C) THE OPERATOR SHALL SUBMIT A PLAN TO THE DEPARTMENT TO ENROLL STUDENTS IN GRADE 7 OR HIGHER THAT INCLUDES:

(1) ALL GRADE LEVELS FROM WHICH STUDENTS SHALL BE ENROLLED;

(2) THE TIME FRAME DURING WHICH ENROLLMENT SHALL OCCUR;

(3) THE CIRCUMSTANCES UNDER WHICH AN OPERATOR SHALL ENROLL STUDENTS;

(4) THE PROCESS BY WHICH STUDENTS SHALL BE SELECTED;

(5) IF APPLICABLE, A DESCRIPTION OF HOW STUDENTS SHALL BE INTEGRATED INTO AN EXISTING EDUCATIONAL CURRICULUM AND RESIDENTIAL STUDENT LIFE; AND

(6) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.

(D) THE DEPARTMENT SHALL REVIEW AND APPROVE THE PLAN IF IT IS CONSISTENT WITH THE EDUCATIONAL PURPOSES OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, April 18, 2017.