

# SENATE BILL 476

E3

71r1527

---

By: **Senator Zirkin**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Juveniles – Group Home Education Program**

3 FOR the purpose of requiring the Department of Juvenile Services, in cooperation  
4 with the State Department of Education, to establish a Group Home Education  
5 Program in certain group homes in the State on or before a certain date;  
6 providing for the purpose of the Program; making certain provisions relating to  
7 education applicable to the Program; authorizing the Program to be conducted  
8 at certain locations; requiring teachers in the Program to take certain actions;  
9 requiring the curriculum of the Program to be developed under the jurisdiction  
10 of the State Department of Education; providing for certain funding;  
11 authorizing the Department of Juvenile Services and the State Department of  
12 Education to adopt certain regulations; and generally relating to the Group  
13 Home Education Program.

14 BY repealing and reenacting, without amendments,  
15 Article – Human Services  
16 Section 9–231  
17 Annotated Code of Maryland  
18 (As enacted by Chapter \_\_\_ (S.B.6) of the Acts of the General Assembly of 2007)

19 BY adding to  
20 Article – Human Services  
21 Section 9–231.1  
22 Annotated Code of Maryland  
23 (As enacted by Chapter \_\_\_ (S.B.6) of the Acts of the General Assembly of 2007)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Human Services**

4 **9–231.**

5 (a) The Department may place children in group homes and institutions  
6 operated by nonprofit or for-profit entities to provide for their care, diagnosis,  
7 training, education, and rehabilitation.

8 (b) (1) The Department shall reimburse the entities described in  
9 subsection (a) of this section for the cost of the services at appropriate monthly rates  
10 that the Department determines, as provided in the State budget.

11 (2) The Department may establish different reimbursement rates for  
12 homes and institutions that provide intermediate services and homes and institutions  
13 that provide full services.

14 (c) The Department may not place a child in a group home or other  
15 residential facility that is not operating in compliance with applicable State licensing  
16 laws.

17 **9–231.1.**

18 (A) **ON OR BEFORE SEPTEMBER 1, 2011, THE DEPARTMENT, IN**  
19 **COOPERATION WITH THE STATE DEPARTMENT OF EDUCATION, SHALL**  
20 **ESTABLISH A GROUP HOME EDUCATION PROGRAM IN ALL GROUP HOMES IN**  
21 **THE STATE THAT:**

22 (1) **ACCEPT CHILDREN COMMITTED TO THE CUSTODY OF THE**  
23 **DEPARTMENT; AND**

24 (2) **ARE LICENSED BY THE DEPARTMENT.**

25 (B) **THE PURPOSE OF THE PROGRAM IS TO PROVIDE EDUCATIONAL**  
26 **INSTRUCTION FOR 12 MONTHS OF THE YEAR BY TEACHERS WHO HOLD A**  
27 **CERTIFICATE UNDER TITLE 6, SUBTITLE 1 OF THE EDUCATION ARTICLE.**

1           **(C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE**  
2 **PROVISIONS OF DIVISION I AND DIVISION II OF THE EDUCATION ARTICLE**  
3 **SHALL APPLY TO THE PROGRAM ESTABLISHED UNDER THIS SECTION.**

4           **(2) THE PROGRAM MAY BE CONDUCTED ON-SITE AT THE GROUP**  
5 **HOME OR AT A REMOTE LOCATION DEDICATED SPECIFICALLY TO EDUCATING**  
6 **CHILDREN WHO ARE A PART OF THE PROGRAM.**

7           **(D) (1) THE TEACHERS IN THE PROGRAM SHALL DEVELOP AN**  
8 **INDIVIDUALIZED PLAN FOR EDUCATION FOR EACH CHILD IN THE PROGRAM**  
9 **WHO DOES NOT RECEIVE AN INDIVIDUALIZED EDUCATION PROGRAM, AS**  
10 **DEFINED IN § 8-408 OF THE EDUCATION ARTICLE.**

11           **(2) FOR EACH CHILD IN THE PROGRAM, THE TEACHERS SHALL**  
12 **PROVIDE A MONTHLY REPORT TO THE CHILD'S PARENTS, THE JUVENILE COURT,**  
13 **AND THE DEPARTMENT ON THE CHILD'S PROGRESS IN THE PROGRAM.**

14           **(E) (1) THE CURRICULUM OF THE PROGRAM SHALL BE DEVELOPED**  
15 **UNDER THE JURISDICTION OF THE STATE DEPARTMENT OF EDUCATION.**

16           **(2) FUNDING FOR THE PROGRAM SHALL INCLUDE ANY MONEYS**  
17 **THAT TRANSFER WITH THE CHILD FROM THE SCHOOL SYSTEM OF THE CHILD'S**  
18 **RESIDENCE.**

19           **(F) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION**  
20 **MAY ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.**

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2007.