

HOUSE BILL 1229

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9lr2656

By: **Delegates Cain, Washington, Guyton, Patterson, Smith, and Wilkins**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2019

CHAPTER _____

1 AN ACT concerning

2 **Restorative Schools Fund and Grants – Establishment**

3 FOR the purpose of establishing the Restorative Schools Fund as a special, nonlapsing
4 fund; specifying the purpose of the Fund; requiring the State Department of
5 Education to administer the Fund; requiring the State Treasurer to hold the Fund
6 and the Comptroller to account for the Fund; specifying the contents of the Fund;
7 ~~requiring the Governor to include a certain appropriation to the Fund in each annual~~
8 ~~budget submission;~~ specifying the purpose for which the Fund may be used;
9 specifying the purpose for which certain grants may be used; requiring the
10 Department, under certain circumstances, to develop processes and procedures for a
11 local school system or an individual school to apply for a certain grant and for
12 awarding the grant; providing for the investment of money in and expenditures from
13 the Fund; requiring interest earnings of the Fund to be credited to the Fund;
14 providing that a distribution from the Fund is supplemental to and is not intended
15 to take the place of certain funding; exempting the Fund from a certain provision of
16 law requiring interest earnings on State money to accrue to the General Fund of the
17 State; defining a certain term; and generally relating to the Restorative Schools
18 Fund and grants to develop and support restorative approaches in local school
19 systems and schools.

20 BY adding to

21 Article – Education

22 Section 7–304.2

23 Annotated Code of Maryland

24 (2018 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
 2 Article – State Finance and Procurement
 3 Section 6–226(a)(2)(i)
 4 Annotated Code of Maryland
 5 (2015 Replacement Volume and 2018 Supplement)

6 BY repealing and reenacting, with amendments,
 7 Article – State Finance and Procurement
 8 Section 6–226(a)(2)(ii)112. and 113.
 9 Annotated Code of Maryland
 10 (2015 Replacement Volume and 2018 Supplement)

11 BY adding to
 12 Article – State Finance and Procurement
 13 Section 6–226(a)(2)(ii)114.
 14 Annotated Code of Maryland
 15 (2015 Replacement Volume and 2018 Supplement)

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

18 **Article – Education**

19 **7–304.2.**

20 (A) IN THIS SECTION, “FUND” MEANS THE RESTORATIVE SCHOOLS FUND.

21 (B) THERE IS A RESTORATIVE SCHOOLS FUND.

22 (C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO LOCAL SCHOOL
 23 SYSTEMS AND INDIVIDUAL SCHOOLS FOR TRAINING ON AND IMPLEMENTATION AND
 24 EVALUATION OF RESTORATIVE APPROACHES THAT BUILD AND SUSTAIN POSITIVE
 25 LEARNING COMMUNITIES.

26 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

27 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
 28 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
 30 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

31 (F) ~~(1)~~ THE FUND CONSISTS OF:

1 ~~(H)~~ (1) MONEY APPROPRIATED IN THE STATE BUDGET TO
2 THE FUND;

3 ~~(H)~~ (2) INTEREST EARNINGS OF THE FUND; AND

4 ~~(H)~~ (3) ANY OTHER MONEY FROM ANY OTHER SOURCE
5 ACCEPTED FOR THE BENEFIT OF THE FUND.

6 ~~(2)~~ ~~FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE~~
7 ~~ANNUAL STATE BUDGET AN APPROPRIATION OF AT LEAST \$3,000,000 FOR THE~~
8 ~~FUND.~~

9 (G) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL SCHOOL
10 SYSTEMS AND INDIVIDUAL SCHOOLS FOR TRAINING ON AND IMPLEMENTATION AND
11 EVALUATION OF RESTORATIVE APPROACHES THAT BUILD AND SUSTAIN POSITIVE
12 LEARNING COMMUNITIES.

13 (H) (1) GRANTS TO LOCAL SCHOOL SYSTEMS SHALL BE USED TO DEVELOP
14 AND SUPPORT RESTORATIVE APPROACHES, INCLUDING:

15 (I) SUPPORTING SYSTEM-LEVEL STAFF IN THEIR WORK
16 PROVIDING TECHNICAL ASSISTANCE AND SUPPORT TO SCHOOLS THAT IMPLEMENT
17 RESTORATIVE APPROACHES;

18 (II) ESTABLISHING TEACHER AND ADMINISTRATIVE
19 LEADERSHIP TRACKS THAT PROMOTE COMPETENCY IN RESTORATIVE APPROACHES;

20 (III) CONDUCTING ANNUAL SYSTEM-WIDE TRAINING ON
21 RESTORATIVE APPROACHES FOR ALL SCHOOL PERSONNEL WHO INTERACT WITH
22 CHILDREN, INCLUDING TEACHERS, ADMINISTRATORS, SCHOOL RESOURCE
23 OFFICERS, CAFETERIA WORKERS, OFFICE STAFF, AIDES, AND VOLUNTEERS;

24 (IV) SUPPORTING THE DEVELOPMENT OF LOCAL
25 PRACTITIONERS WITHIN LOCAL SCHOOL SYSTEMS AND INDIVIDUAL SCHOOLS WHO
26 ARE QUALIFIED TO OFFER TRAINING IN RESTORATIVE APPROACHES;

27 (V) GATHERING AND ANALYZING SCHOOL DISCIPLINE DATA
28 AND CONDUCTING A ROOT CAUSE ANALYSIS;

29 (VI) ASSISTING SCHOOLS WITH ANALYZING THE RELATIONSHIPS
30 BETWEEN STUDENT BEHAVIOR AND DISCIPLINARY CONSEQUENCES;

31 (VII) DEVELOPING INCENTIVES FOR SCHOOLS TO IMPROVE
32 THEIR STUDENT OUTCOMES;

1 (VIII) IDENTIFYING ADDITIONAL FUNDING SOURCES THAT
 2 SCHOOLS CAN USE FOR TRAINING, COACHING, AND MENTORING IN RESTORATIVE
 3 APPROACHES;

4 (IX) OVERSEEING SCHOOL-LEVEL PLANS THAT PROMOTE
 5 RESTORATIVE APPROACHES FOR POSITIVE SCHOOL CLIMATE AND DISCIPLINE;

6 (X) PROVIDING TRAINING FOR ALL SCHOOL PERSONNEL ON
 7 IMPLICIT BIAS AND CULTURAL COMPETENCY;

8 (XI) ADDRESSING DISPROPORTIONATE APPLICATION OF
 9 DISCIPLINE;

10 (XII) PROMOTING RACIALLY EQUITABLE PRACTICES;

11 (XIII) DEVELOPING COMMUNITY PARTNERSHIPS THAT SUPPORT
 12 RESTORATIVE APPROACHES; AND

13 (XIV) PROMOTING STUDENT AND FAMILY ENGAGEMENT IN
 14 RESTORATIVE APPROACHES.

15 ~~(2) GRANTS TO INDIVIDUAL SCHOOLS SHALL BE USED TO:~~

16 ~~(I) DEVELOP MULTIYEAR PLANS THAT:~~

17 ~~1. ARE BASED ON ROOT CAUSE ANALYSES; AND~~

18 ~~2. IDENTIFY:~~

19 ~~A. THE RESTORATIVE STRATEGIES THE SCHOOL WILL~~
 20 ~~USE;~~

21 ~~B. THE TRAINING AND ONGOING SUPPORT THE SCHOOL~~
 22 ~~WILL PROVIDE TO STAFF; AND~~

23 ~~C. THE OUTCOME MEASURES THE SCHOOL WILL USE TO~~
 24 ~~EVALUATE ITS USE OF RESTORATIVE APPROACHES;~~

25 ~~(II) COMPENSATE STAFF TO SUPPORT:~~

26 ~~1. TRAINING ON RESTORATIVE APPROACHES; AND~~

27 ~~2. THE IMPLEMENTATION, EVALUATION, AND~~
 28 ~~SUSTAINABILITY OF RESTORATIVE APPROACHES;~~

~~(III) COVER THE COSTS OF PROFESSIONAL DEVELOPMENT, TRAINING, COACHING, AND MENTORING ON RESTORATIVE APPROACHES;~~

~~(IV) ADDRESS THE RACIALLY DISPROPORTIONATE APPLICATION OF DISCIPLINE THROUGH:~~

~~1. TRAINING IN IMPLICIT BIAS;~~

~~2. CULTURALLY RELEVANT PEDAGOGY;~~

~~3. CULTURAL COMPETENCY; AND~~

~~4. RESTORATIVE APPROACHES TO DISCIPLINE; AND~~

~~(V) PROMOTE STUDENT AND FAMILY ENGAGEMENT IN RESTORATIVE APPROACHES.~~

~~(3) (2) THE IF THE GOVERNOR MAKES AN APPROPRIATION IN THE ANNUAL STATE BUDGET TO THE FUND, THE DEPARTMENT SHALL DEVELOP PROCESSES AND PROCEDURES FOR:~~

~~(I) A LOCAL SCHOOL SYSTEM OR AN INDIVIDUAL SCHOOL TO APPLY FOR A GRANT UNDER THIS SECTION; AND~~

~~(II) AWARDING A GRANT UNDER THIS SECTION.~~

~~(I) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.~~

~~(J) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.~~

~~(K) MONEY EXPENDED FROM THE FUND FOR TRAINING ON AND IMPLEMENTATION AND EVALUATION OF RESTORATIVE APPROACHES IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR TRAINING ON AND IMPLEMENTATION AND EVALUATION OF RESTORATIVE APPROACHES.~~

Article – State Finance and Procurement

1 (a) (2) (i) Notwithstanding any other provision of law, and unless
 2 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 3 terms of a gift or settlement agreement, net interest on all State money allocated by the
 4 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 5 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 6 Fund of the State.

7 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 8 to the following funds:

9 112. the Pretrial Services Program Grant Fund; [and]

10 113. the Veteran Employment and Transition Success Fund;

11 AND

12 114. THE RESTORATIVE SCHOOLS FUND.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 14 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.