

Article - Education

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§7-304.1.

(a) In this section, “Positive Behavioral Interventions and Support Program” means the research-based, systems approach method adopted by the State Board to build capacity among school staff to adopt and sustain the use of positive, effective practices to create learning environments where teachers can teach and students can learn.

(b) (1) Subject to paragraph (3) of this subsection, each county board shall require an elementary school that has a suspension rate that exceeds the standard specified in paragraph (2) of this subsection to implement:

(i) A positive behavioral interventions and support program;

or

(ii) An alternative behavior modification program in collaboration with the Department.

(2) An elementary school is subject to this subsection if it has a suspension rate that exceeds:

(i) 18 percent of its enrollment for the 2005–2006 school year;

(ii) 16 percent of its enrollment for the 2006–2007 school year;

(iii) 14 percent of its enrollment for the 2007–2008 school year;

(iv) 12 percent of its enrollment for the 2008–2009 school year;

and

(v) 10 percent of its enrollment for the 2009–2010 school year and each school year thereafter.

(3) An elementary school that has already implemented a positive behavioral interventions and support program or a behavior modification program shall expand its existing program if it has a suspension rate that exceeds the standard specified in paragraph (2) of this subsection.

(c) (1) Subject to paragraph (3) of this subsection, each county board shall require a school that has a truancy rate that exceeds the standard specified in paragraph (2) of this subsection to implement:

(i) A positive behavioral interventions and support program;
or

(ii) An alternative, research-based, positive, and effective behavior modification program in collaboration with the Department.

(2) A school is subject to this subsection if it has a truancy rate that exceeds:

(i) 8 percent of its enrollment for the 2008–2009 school year;

(ii) 6 percent of its enrollment for the 2009–2010 school year;

(iii) 4 percent of its enrollment for the 2010–2011 school year;

(iv) 2 percent of its enrollment for the 2011–2012 school year;
and

(v) 1 percent of its enrollment for the 2012–2013 school year and each school year thereafter.

(3) A school that has already implemented a positive behavioral interventions and support program or a behavior modification program shall expand its program if it has a truancy rate that exceeds the standard specified in paragraph (2) of this subsection.

(d) The State Board shall adopt regulations to implement the provisions of this section.

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