
By: **Delegate Marriott**

Introduced and read first time: February 13, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Student Behavioral Intervention and Support Programs -**
 3 **Applicability**

4 FOR the purpose of altering the standard by which a county board of education and
 5 the Board of School Commissioners of Baltimore City shall require certain
 6 elementary schools to implement a positive behavioral interventions and
 7 support program or a certain alternative program; and generally relating to the
 8 requirement that certain elementary schools implement certain programs
 9 pertaining to student behavior.

10 BY repealing and reenacting, with amendments,
 11 Article - Education
 12 Section 7-304.1
 13 Annotated Code of Maryland
 14 (2004 Replacement Volume and 2005 Supplement)

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

17 **Article - Education**

18 7-304.1.

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

24 (b) (1) Each county board of education and the Board of School
 25 Commissioners of Baltimore City shall require an elementary school that has a
 26 suspension rate that exceeds [18 percent of the elementary school's enrollment] THE
 27 STANDARD SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION to implement:

28 [(1)] (I) A positive behavioral interventions and support program; or

1 [(2)] (II) An alternative behavioral modification program in collaboration
2 with the Department.

3 (2) AN ELEMENTARY SCHOOL IS SUBJECT TO THIS SUBSECTION IF IT
4 HAS A SUSPENSION RATE THAT EXCEEDS:

5 (I) 18 PERCENT OF ITS ENROLLMENT FOR THE 2005-2006 SCHOOL
6 YEAR;

7 (II) 16 PERCENT OF ITS ENROLLMENT FOR THE 2006-2007 SCHOOL
8 YEAR;

9 (III) 14 PERCENT OF ITS ENROLLMENT FOR THE 2007-2008 SCHOOL
10 YEAR;

11 (IV) 12 PERCENT OF ITS ENROLLMENT FOR THE 2008-2009 SCHOOL
12 YEAR; AND

13 (V) 10 PERCENT OF ITS ENROLLMENT FOR THE 2009-2010 SCHOOL
14 YEAR AND EACH SCHOOL YEAR THEREAFTER.

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2006.