
By: **Delegate Marriott**

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Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, February 27, 2006

Committee Report: Favorable

House action: Adopted

Read second time: March 24, 2006

CHAPTER _____

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

1 practices to create learning environments where teachers can teach and students can
2 learn.

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

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

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

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

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

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

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

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

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

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

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