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By: Delegates Kaiser, Anderson, Barkley, Branch, Carter, Conaway, Dumais, Elmore, Frick, Frush, Gilchrist, Gutierrez, Haynes, Healey, Heller, Hubbard, Levi, McComas, Montgomery, Murphy, Robinson, Rosenberg, Shewell, Sossi, Stukes, Tarrant, F. Turner, Walker, and Walkup

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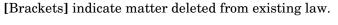
Assigned to: Ways and Means

A BILL ENTITLED

1	AN ACT concerning
$\frac{2}{3}$	Education – Truancy Rates – Positive Behavioral Interventions and Support Programs and Behavior Modification Programs
4	FOR the purpose of requiring a county board of education to require certain schools
5	with certain truancy rates to implement a positive behavioral interventions and
6	support program or certain behavior modification programs in collaboration
7	with the State Department of Education under certain circumstances; requiring
8	certain schools to expand certain programs under certain circumstances; and
9	generally relating to the requirement that certain schools implement certain
10	programs relating to truancy rates.
11	BY repealing and reenacting, without amendments,
12	Article – Education
13	Section 1–101(a) and (d)
14	Annotated Code of Maryland
15	(2006 Replacement Volume and 2007 Supplement)
16	BY repealing and reenacting, with amendments,
17	Article – Education
18	Section 7–304.1
19	Annotated Code of Maryland
20	(2006 Replacement Volume and 2007 Supplement)
21	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22	MARYLAND, That the Laws of Maryland read as follows:

Article - Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.



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- 2 1-101.1 2 In this article, unless the context requires otherwise, the following words 3 have the meanings indicated. "County board" means the board of education of a county and includes the 4 Baltimore City Board of School Commissioners. 5 7-304.1. 6 7 (a) In this section, "Positive Behavioral Interventions and Support Program" means the research-based, systems approach method adopted by the State Board to 8 9 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 10 11 learn. 12 [Each] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, (b) **(1)** 13 EACH county board [of education and the Board of School Commissioners of Baltimore 14 Cityl shall require an elementary school that has a suspension rate that exceeds the standard specified in paragraph (2) of this subsection to implement: 15 16 (i) A positive behavioral interventions and support program; or 17 (ii) An alternative behavioral modification program collaboration with the Department. 18 19 (2)An elementary school is subject to this subsection if it has a suspension rate that exceeds: 20 21 (i) 18 percent of its enrollment for the 2005–2006 school year;
- 16 percent of its enrollment for the 2006–2007 school year; 22 (ii)
- 14 percent of its enrollment for the 2007–2008 school year; 23 (iii)
- 12 percent of its enrollment for the 2008–2009 school year; 24 (iv) 25 and
- 26 10 percent of its enrollment for the 2009–2010 school year (\mathbf{v}) and each school year thereafter. 27
 - AN ELEMENTARY SCHOOL THAT HAS ALREADY IMPLEMENTED (3)A POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORT PROGRAM OR AN ALTERNATIVE, RESEARCH-BASED, POSITIVE, AND EFFECTIVE BEHAVIOR MODIFICATION PROGRAM UNDER SUBSECTION (C) OF THIS SECTION SHALL EXPAND ITS EXISTING PROGRAM IF IT HAS A SUSPENSION RATE THAT EXCEEDS THE STANDARD SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

1	(c) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EACH
2	COUNTY BOARD SHALL REQUIRE A SCHOOL THAT HAS A TRUANCY RATE THAT
3	EXCEEDS THE STANDARD SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION
4	TO IMPLEMENT:
5	(I) A POSITIVE BEHAVIORAL INTERVENTIONS AND
6	SUPPORT PROGRAM; OR
_	
7	(II) AN ALTERNATIVE, RESEARCH-BASED, POSITIVE, AND
8 9	EFFECTIVE BEHAVIOR MODIFICATION PROGRAM IN COLLABORATION WITH THE
9	DEPARTMENT.
10	(2) A SCHOOL IS SUBJECT TO THIS SUBSECTION IF IT HAS A
11	TRUANCY RATE THAT EXCEEDS:
	THOMACT WITE THEIR EXCEEDS.
12	(I) 8 PERCENT OF ITS ENROLLMENT FOR THE 2008–2009
13	SCHOOL YEAR;
14	(II) 6 PERCENT OF ITS ENROLLMENT FOR THE 2009–2010
15	SCHOOL YEAR;
16	(III) 4 PERCENT OF ITS ENROLLMENT FOR THE 2010–2011
17	SCHOOL YEAR;
10	
18	(IV) 2 PERCENT OF ITS ENROLLMENT FOR THE 2011–2012
19	SCHOOL YEAR; AND
20	(x) = 1 DED CENTE OF TWO DATES FOR WITE 0.19 0.19
21	(V) 1 PERCENT OF ITS ENROLLMENT FOR THE 2012–2013 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER.
41	SCHOOL TEAR AND EACH SCHOOL TEAR THEREAFTER.
22	(3) A SCHOOL THAT HAS ALREADY IMPLEMENTED A POSITIVE
23	BEHAVIORAL INTERVENTIONS AND SUPPORT PROGRAM OR AN ALTERNATIVE
24	BEHAVIORAL MODIFICATION PROGRAM UNDER SUBSECTION (B) OF THIS
25	SECTION SHALL EXPAND ITS PROGRAM IF IT HAS A TRUANCY RATE THAT
26	EXCEEDS THE STANDARD SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

- 27 **(D)** The State Board shall adopt regulations to implement the provisions of this section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 30 $\,$ July 1, 2008.