

HOUSE BILL 1208

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9lr2654

By: **Delegate Washington**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Restorative Practices in Schools – Establishment**

3 FOR the purpose of establishing the Board of Restorative Practices in Schools; providing
4 for the composition, chair, and staffing of the Board; providing for the term of
5 selected members of the Board; providing for the staggering of the terms of selected
6 members of the Board; establishing that, at the end of a term, a selected member
7 continues to serve until a successor is appointed and qualifies; providing that a
8 majority of the authorized membership of the Board is a quorum; requiring the Board
9 to meet a certain number of times each year; prohibiting a member of the Board from
10 receiving certain compensation, but authorizing the reimbursement of certain
11 expenses; requiring the Board to study, monitor, and make recommendations
12 regarding certain matters; requiring the Board to report its findings and
13 recommendations to the General Assembly on or before a certain date each year;
14 defining a certain term; and generally relating to the Board of Restorative Practices
15 in Schools.

16 BY adding to
17 Article – Education
18 Section 7–304.2
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2018 Supplement)

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

23 **Article – Education**

24 **7–304.2.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, "BOARD" MEANS THE BOARD OF RESTORATIVE**
2 **PRACTICES IN SCHOOLS.**

3 **(B) THERE IS A BOARD OF RESTORATIVE PRACTICES IN SCHOOLS.**

4 **(C) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**

5 **(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE**
6 **PRESIDENT OF THE SENATE;**

7 **(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE**
8 **SPEAKER OF THE HOUSE;**

9 **(3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE**
10 **SUPERINTENDENT'S DESIGNEE;**

11 **(4) THE PRESIDENT OF THE STATE BOARD OF EDUCATION, OR THE**
12 **PRESIDENT'S DESIGNEE;**

13 **(5) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S**
14 **DESIGNEE;**

15 **(6) THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE**
16 **MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, OR THE PRESIDENT'S**
17 **DESIGNEE;**

18 **(7) THE PRESIDENT OF THE MARYLAND STATE EDUCATION**
19 **ASSOCIATION, OR THE PRESIDENT'S DESIGNEE;**

20 **(8) THE PRESIDENT OF THE EXECUTIVE BOARD OF THE MARYLAND**
21 **ASSOCIATION OF STUDENT COUNCILS, OR THE PRESIDENT'S DESIGNEE;**

22 **(9) THE DIRECTOR OF THE MARYLAND EQUITY PROJECT AT THE**
23 **UNIVERSITY OF MARYLAND COLLEGE OF EDUCATION, OR THE DIRECTOR'S**
24 **DESIGNEE;**

25 **(10) THE DIRECTOR OF THE CENTER FOR DISPUTE RESOLUTION AT**
26 **THE UNIVERSITY OF MARYLAND SCHOOL OF LAW, OR THE DIRECTOR'S DESIGNEE;**

27 **(11) THE DIRECTOR OF THE POSITIVE SCHOOLS CENTER AT THE**
28 **UNIVERSITY OF MARYLAND SCHOOL OF SOCIAL WORK, OR THE DIRECTOR'S**
29 **DESIGNEE;**

1 **(12) THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE**
2 **AMERICAN CIVIL LIBERTIES UNION OF MARYLAND, OR THE PRESIDENT'S**
3 **DESIGNEE;**

4 **(13) THE MARYLAND PUBLIC DEFENDER, OR THE MARYLAND PUBLIC**
5 **DEFENDER'S DESIGNEE;**

6 **(14) THE EXECUTIVE DIRECTOR OF THE ADVOCATES FOR CHILDREN**
7 **AND YOUTH, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

8 **(15) THE EXECUTIVE DIRECTOR OF COMMUNITY MEDIATION**
9 **MARYLAND, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

10 **(16) THE EXECUTIVE DIRECTOR OF RESTORATIVE RESPONSE**
11 **BALTIMORE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

12 **(17) THE EXECUTIVE DIRECTOR OF THE ARC MARYLAND, OR THE**
13 **EXECUTIVE DIRECTOR'S DESIGNEE;**

14 **(18) ONE REPRESENTATIVE OF THE YOUTH LEADERSHIP AND**
15 **ADVOCACY NETWORK AT THE JOHNS HOPKINS BLOOMBERG SCHOOL OF PUBLIC**
16 **HEALTH, SELECTED BY THE YOUTH LEADERSHIP AND ADVOCACY NETWORK;**

17 **(19) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF**
18 **SCHOOL RESOURCE OFFICERS, SELECTED BY THE PRESIDENT OF THE EXECUTIVE**
19 **BOARD OF THE MARYLAND ASSOCIATION OF SCHOOL RESOURCE OFFICERS;**

20 **(20) ONE REPRESENTATIVE OF THE MARYLAND PTA, SELECTED BY**
21 **THE PRESIDENT OF THE MARYLAND PTA;**

22 **(21) ONE TEACHER IN A MARYLAND PUBLIC SCHOOL THAT USES**
23 **RESTORATIVE PRACTICES, SELECTED BY THE STATE SUPERINTENDENT OF**
24 **SCHOOLS; AND**

25 **(22) ONE PRINCIPAL OF A MARYLAND PUBLIC SCHOOL THAT USES**
26 **RESTORATIVE PRACTICES, SELECTED BY THE STATE SUPERINTENDENT OF**
27 **SCHOOLS.**

28 **(D) TO THE EXTENT PRACTICABLE, IN SELECTING MEMBERS UNDER THIS**
29 **SECTION, THE INDIVIDUALS SELECTING THE MEMBERS SHALL COORDINATE TO**
30 **ENSURE GEOGRAPHIC DIVERSITY AMONG THE MEMBERSHIP OF THE BOARD.**

1 **(E) (1) THE DIRECTOR OF THE CENTER FOR DISPUTE RESOLUTION AT**
2 **THE UNIVERSITY OF MARYLAND SCHOOL OF LAW, OR THE DIRECTOR'S DESIGNEE,**
3 **IS THE CHAIR OF THE BOARD.**

4 **(2) THE CENTER FOR DISPUTE RESOLUTION AT THE UNIVERSITY OF**
5 **MARYLAND SCHOOL OF LAW SHALL PROVIDE STAFF FOR THE BOARD.**

6 **(F) (1) THE TERM OF A SELECTED MEMBER OF THE BOARD IS 4 YEARS.**

7 **(2) THE TERMS OF THE SELECTED MEMBERS OF THE BOARD ARE**
8 **STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD**
9 **ON JULY 1, 2019.**

10 **(3) AT THE END OF A TERM, A SELECTED MEMBER:**

11 **(I) IS ELIGIBLE FOR RESELECTION; AND**

12 **(II) CONTINUES TO SERVE UNTIL A SUCCESSOR IS SELECTED**
13 **AND QUALIFIES.**

14 **(4) A MEMBER WHO IS SELECTED OR RESELECTED AFTER A TERM HAS**
15 **BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR**
16 **IS SELECTED AND QUALIFIES.**

17 **(G) (1) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE BOARD**
18 **IS A QUORUM.**

19 **(2) THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AT**
20 **THE TIMES AND PLACES DETERMINED BY THE BOARD OR THE CHAIR OF THE BOARD.**

21 **(3) A MEMBER OF THE BOARD:**

22 **(I) MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE**
23 **BOARD; BUT**

24 **(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER**
25 **THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
26 **BUDGET.**

27 **(H) THE BOARD SHALL:**

28 **(1) STUDY AND ANALYZE THE CURRENT DISCIPLINARY PRACTICES**
29 **AND POLICIES IN MARYLAND PUBLIC SCHOOLS;**

1 **(2) MONITOR IMPLEMENTATION OF RESTORATIVE PRACTICES IN**
2 **MARYLAND PUBLIC SCHOOLS;**

3 **(3) STUDY AND ANALYZE THE INFORMATION COLLECTED UNDER §**
4 **7-306 OF THIS SUBTITLE; AND**

5 **(4) PREPARE LEGISLATIVE AND BUDGETARY RECOMMENDATIONS**
6 **FOR FUTURE DATA-DRIVEN AND FISCALLY SOUND POLICIES THAT:**

7 **(I) REDUCE THE SCHOOL-TO-PRISON PIPELINE; AND**

8 **(II) INCORPORATE RESTORATIVE PRACTICES IN SCHOOL**
9 **DISCIPLINE PRACTICES.**

10 **(I) ON OR BEFORE OCTOBER 1 EACH YEAR, THE BOARD SHALL REPORT ITS**
11 **FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY IN ACCORDANCE**
12 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
14 selected members of the Board of Restorative Practices in Schools shall expire as follows:

15 (1) one member in 2020;

16 (2) two members in 2021; and

17 (3) two members in 2022.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2019.