

HOUSE BILL 1229

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9lr2656

By: **Delegates Cain, Washington, Guyton, Patterson, Smith, and Wilkins**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Restorative Schools Fund and Grants – Establishment**

3 FOR the purpose of establishing the Restorative Schools Fund as a special, nonlapsing
4 fund; specifying the purpose of the Fund; requiring the State Department of
5 Education to administer the Fund; requiring the State Treasurer to hold the Fund
6 and the Comptroller to account for the Fund; specifying the contents of the Fund;
7 requiring the Governor to include a certain appropriation to the Fund in each annual
8 budget submission; specifying the purpose for which the Fund may be used;
9 specifying the purpose for which certain grants may be used; requiring the
10 Department to develop processes and procedures for a local school system or an
11 individual school to apply for a certain grant and for awarding the grant; providing
12 for the investment of money in and expenditures from the Fund; requiring interest
13 earnings of the Fund to be credited to the Fund; providing that a distribution from
14 the Fund is supplemental to and is not intended to take the place of certain funding;
15 exempting the Fund from a certain provision of law requiring interest earnings on
16 State money to accrue to the General Fund of the State; defining a certain term; and
17 generally relating to the Restorative Schools Fund and grants to develop and support
18 restorative approaches in local school systems and schools.

19 BY adding to

20 Article – Education

21 Section 7–304.2

22 Annotated Code of Maryland

23 (2018 Replacement Volume and 2018 Supplement)

24 BY repealing and reenacting, without amendments,

25 Article – State Finance and Procurement

26 Section 6–226(a)(2)(i)

27 Annotated Code of Maryland

28 (2015 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(ii)112. and 113.
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2018 Supplement)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)114.
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2018 Supplement)

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

13 **Article – Education**

14 **7–304.2.**

15 (A) IN THIS SECTION, “FUND” MEANS THE RESTORATIVE SCHOOLS FUND.

16 (B) THERE IS A RESTORATIVE SCHOOLS FUND.

17 (C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO LOCAL SCHOOL
18 SYSTEMS AND INDIVIDUAL SCHOOLS FOR TRAINING ON AND IMPLEMENTATION AND
19 EVALUATION OF RESTORATIVE APPROACHES THAT BUILD AND SUSTAIN POSITIVE
20 LEARNING COMMUNITIES.

21 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

22 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
23 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

24 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
25 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

26 (F) (1) THE FUND CONSISTS OF:

27 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
28 FUND;

29 (II) INTEREST EARNINGS OF THE FUND; AND

30 (III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
31 FOR THE BENEFIT OF THE FUND.

1 **(2) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE**
2 **ANNUAL STATE BUDGET AN APPROPRIATION OF AT LEAST \$3,000,000 FOR THE**
3 **FUND.**

4 **(G) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL SCHOOL**
5 **SYSTEMS AND INDIVIDUAL SCHOOLS FOR TRAINING ON AND IMPLEMENTATION AND**
6 **EVALUATION OF RESTORATIVE APPROACHES THAT BUILD AND SUSTAIN POSITIVE**
7 **LEARNING COMMUNITIES.**

8 **(H) (1) GRANTS TO LOCAL SCHOOL SYSTEMS SHALL BE USED TO DEVELOP**
9 **AND SUPPORT RESTORATIVE APPROACHES, INCLUDING:**

10 **(I) SUPPORTING SYSTEM-LEVEL STAFF IN THEIR WORK**
11 **PROVIDING TECHNICAL ASSISTANCE AND SUPPORT TO SCHOOLS THAT IMPLEMENT**
12 **RESTORATIVE APPROACHES;**

13 **(II) ESTABLISHING TEACHER AND ADMINISTRATIVE**
14 **LEADERSHIP TRACKS THAT PROMOTE COMPETENCY IN RESTORATIVE APPROACHES;**

15 **(III) CONDUCTING ANNUAL SYSTEM-WIDE TRAINING ON**
16 **RESTORATIVE APPROACHES FOR ALL SCHOOL PERSONNEL WHO INTERACT WITH**
17 **CHILDREN, INCLUDING TEACHERS, ADMINISTRATORS, SCHOOL RESOURCE**
18 **OFFICERS, CAFETERIA WORKERS, OFFICE STAFF, AIDES, AND VOLUNTEERS;**

19 **(IV) SUPPORTING THE DEVELOPMENT OF LOCAL**
20 **PRACTITIONERS WITHIN LOCAL SCHOOL SYSTEMS AND INDIVIDUAL SCHOOLS WHO**
21 **ARE QUALIFIED TO OFFER TRAINING IN RESTORATIVE APPROACHES;**

22 **(V) GATHERING AND ANALYZING SCHOOL DISCIPLINE DATA**
23 **AND CONDUCTING A ROOT CAUSE ANALYSIS;**

24 **(VI) ASSISTING SCHOOLS WITH ANALYZING THE RELATIONSHIPS**
25 **BETWEEN STUDENT BEHAVIOR AND DISCIPLINARY CONSEQUENCES;**

26 **(VII) DEVELOPING INCENTIVES FOR SCHOOLS TO IMPROVE**
27 **THEIR STUDENT OUTCOMES;**

28 **(VIII) IDENTIFYING ADDITIONAL FUNDING SOURCES THAT**
29 **SCHOOLS CAN USE FOR TRAINING, COACHING, AND MENTORING IN RESTORATIVE**
30 **APPROACHES;**

31 **(IX) OVERSEEING SCHOOL-LEVEL PLANS THAT PROMOTE**

1 RESTORATIVE APPROACHES FOR POSITIVE SCHOOL CLIMATE AND DISCIPLINE;

2 (X) PROVIDING TRAINING FOR ALL SCHOOL PERSONNEL ON
3 IMPLICIT BIAS AND CULTURAL COMPETENCY;

4 (XI) ADDRESSING DISPROPORTIONATE APPLICATION OF
5 DISCIPLINE;

6 (XII) PROMOTING RACIALLY EQUITABLE PRACTICES;

7 (XIII) DEVELOPING COMMUNITY PARTNERSHIPS THAT SUPPORT
8 RESTORATIVE APPROACHES; AND

9 (XIV) PROMOTING STUDENT AND FAMILY ENGAGEMENT IN
10 RESTORATIVE APPROACHES.

11 (2) GRANTS TO INDIVIDUAL SCHOOLS SHALL BE USED TO:

12 (I) DEVELOP MULTIYEAR PLANS THAT:

13 1. ARE BASED ON ROOT CAUSE ANALYSES; AND

14 2. IDENTIFY:

15 A. THE RESTORATIVE STRATEGIES THE SCHOOL WILL
16 USE;

17 B. THE TRAINING AND ONGOING SUPPORT THE SCHOOL
18 WILL PROVIDE TO STAFF; AND

19 C. THE OUTCOME MEASURES THE SCHOOL WILL USE TO
20 EVALUATE ITS USE OF RESTORATIVE APPROACHES;

21 (II) COMPENSATE STAFF TO SUPPORT:

22 1. TRAINING ON RESTORATIVE APPROACHES; AND

23 2. THE IMPLEMENTATION, EVALUATION, AND
24 SUSTAINABILITY OF RESTORATIVE APPROACHES;

25 (III) COVER THE COSTS OF PROFESSIONAL DEVELOPMENT,
26 TRAINING, COACHING, AND MENTORING ON RESTORATIVE APPROACHES;

1 (IV) ADDRESS THE RACIALLY DISPROPORTIONATE
2 APPLICATION OF DISCIPLINE THROUGH:

- 3 1. TRAINING IN IMPLICIT BIAS;
- 4 2. CULTURALLY RELEVANT PEDAGOGY;
- 5 3. CULTURAL COMPETENCY; AND
- 6 4. RESTORATIVE APPROACHES TO DISCIPLINE; AND

7 (V) PROMOTE STUDENT AND FAMILY ENGAGEMENT IN
8 RESTORATIVE APPROACHES.

9 (3) THE DEPARTMENT SHALL DEVELOP PROCESSES AND
10 PROCEDURES FOR:

11 (I) A LOCAL SCHOOL SYSTEM OR AN INDIVIDUAL SCHOOL TO
12 APPLY FOR A GRANT UNDER THIS SECTION; AND

13 (II) AWARDING A GRANT UNDER THIS SECTION.

14 (I) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
15 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

16 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
17 THE FUND.

18 (J) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
19 WITH THE STATE BUDGET.

20 (K) MONEY EXPENDED FROM THE FUND FOR TRAINING ON AND
21 IMPLEMENTATION AND EVALUATION OF RESTORATIVE APPROACHES IS
22 SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT
23 OTHERWISE WOULD BE APPROPRIATED FOR TRAINING ON AND IMPLEMENTATION
24 AND EVALUATION OF RESTORATIVE APPROACHES.

25 Article – State Finance and Procurement

26 6–226.

27 (a) (2) (i) Notwithstanding any other provision of law, and unless
28 inconsistent with a federal law, grant agreement, or other federal requirement or with the
29 terms of a gift or settlement agreement, net interest on all State money allocated by the

1 State Treasurer under this section to special funds or accounts, and otherwise entitled to
2 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
3 Fund of the State.

4 (ii) The provisions of subparagraph (i) of this paragraph do not apply
5 to the following funds:

6 112. the Pretrial Services Program Grant Fund; [and]

7 113. the Veteran Employment and Transition Success Fund;

8 **AND**

9 **114. THE RESTORATIVE SCHOOLS FUND.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2019.