

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 1257
 Ways and Means

(Delegate Pasteur, *et al.*)

Education, Energy, and the Environment

Public Schools - Restorative Practices Schools - Comprehensive Plan

This bill updates the requirements for the State’s school discipline guidelines and regulations to include restorative *practices* (instead of approaches). The bill also requires the Maryland State Department of Education (MSDE), by July 1, 2025, to develop a comprehensive plan for the establishment of restorative practices schools. In developing the plan, MSDE must seek insight from subject matter experts. If a local board of education chooses to establish a restorative practices school within the local school system, the board must use the comprehensive plan. By December 1, 2025, MSDE must report to the Governor and General Assembly on its comprehensive plan for the establishment of restorative practices schools. **The bill takes effect July 1, 2024, and the reporting requirement terminates June 30, 2026.**

Fiscal Summary

State Effect: General fund expenditures increase by \$100,000 in FY 2025 for contractual support. MSDE can otherwise carry out the bill’s requirements with existing resources. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	100,000	0	0	0	0
Net Effect	(\$100,000)	\$0	\$0	\$0	\$0

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local revenues and expenditures are not directly affected. Local school systems with existing restorative approaches schools may face operational burdens to conform their practices to the new comprehensive plan, as discussed below.

Small Business Effect: None.

Analysis

Bill Summary: The bill replaces the term “restorative approaches” as it relates to school discipline guidelines with the term “restorative practices” and makes the following changes or additions to the term’s definition (changes/additions are *italicized*):

- “restorative practices” means *a communally and culturally responsive, relationship-focused student discipline model*; and
- “*personal accountability*” replaces “rehabilitation” as a specified item included under the term “restorative practices.”

The bill also requires the State Board of Education to provide, upon request, technical assistance in becoming a restorative practices school to a local board of education.

Comprehensive Plan

In developing the comprehensive plan, MSDE must consult with and seek insight from (1) educators and administrators who have effectively established and operated schools that integrate restorative practices into the daily practices and activities of the whole school and (2) State and national organizations that have studied the effective use of restorative practices and have established the most appropriate methods of integrating restorative practices in the school setting. The comprehensive plan developed by MSDE must:

- provide a framework for local school systems to identify school personnel qualified to provide initial restorative practices training as restorative practices coaches to other school staff;
- establish model training material for personnel identified as restorative practices coaches;
- establish standards for when a school may be designated a restorative practices school; and
- develop the intended outcomes and performance metrics that the use of restorative practices are designed to achieve, including disciplinary student conduct, student absenteeism and truancy, rates of teacher turnover and absenteeism, relevant mental health indicators, and school climate indicators.

Current Law:

Discipline Guidelines and “Restorative Approaches”

The State Board of Education must establish guidelines that define a State code of discipline for all public schools with standards of conduct and consequences for violations

of the standards. The guidelines were last updated in 2014. The State board must also (1) upon request, provide technical assistance and training to local school boards on the use of restorative approaches and (2) assist each local school board with implementing the guidelines. Each local school board must adopt regulations designed to create and maintain within schools the atmosphere of order and discipline necessary for effective learning. The local regulations must state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. They must also provide for educational and behavioral interventions, restorative approaches, counseling, student and parent conferencing, and alternative programs. On or before October 1 each year, MSDE must submit a [report](#) to the Governor and General Assembly on student discipline data, including a description of the use of restorative approaches in the State and a review of disciplinary practices and policies in the State.

“Restorative approaches” means a relationship-focused student discipline model that (1) is preventative and proactive; (2) emphasizes building strong relationships and setting clear behavioral expectations that contribute to the well-being of the school community; (3) in response to behavior that violates the clear behavioral expectations that contribute to the well-being of the school community, focuses on accountability for any harm done by the problem behavior; and (4) addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed. “Restorative approaches” may include conflict resolution, mediation, peer mediation, circle processes, restorative conferences, social emotional learning, trauma-informed care, positive behavioral intervention supports, and rehabilitation.

State Expenditures: MSDE does not have the resources necessary to manage a workgroup of diverse stakeholders and develop a comprehensive plan for restorative practices schools as specified in the bill. Therefore, general fund expenditures increase by \$100,000 only in fiscal 2025 to retain contractual services that enable MSDE to facilitate a workgroup of stakeholders and complete a comprehensive plan for restorative practices schools by July 1, 2025.

Local Expenditures: Prince George’s County Public Schools advises that, depending on the substance of the final comprehensive plan adopted by MSDE, the school system may face additional operational burdens and expenditures to conform its existing schools to the plan. However, the Department of Legislative Services advises that, given the requirement for the comprehensive plan to consider insight from persons with experience establishing restorative practices schools and the likelihood that the plan provides for some meaningful adaptation to local circumstances, any effect is assumed to be purely operational for existing restorative approaches schools.

Although the act of establishing a restorative practices school may entail meaningful expenditures on the part of a local school system, the bill leaves the creation of such schools

to the discretion of local boards of education. Further, to the extent local boards of education choose to establish restorative practices schools in future years, local boards can likely conform the development of such schools to the comprehensive plan without the need for additional expenditures beyond those already required to establish a restorative approaches school. Therefore, the bill has no effect on local expenditures.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 917 (Senator Brooks) - Education, Energy, and the Environment.

Information Source(s): Maryland Association of County Health Officers; Maryland State Department of Education; Maryland Department of Health; Department of Human Services; Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George’s County Public Schools; St. Mary’s County Public Schools; Department of Legislative Services

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