

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
 First Reader

Senate Bill 917 (Senator Brooks)
 Education, Energy, and the Environment

Public Schools – Restorative Practices Schools – Establishment

This bill requires the Maryland State Department of Education (MSDE) to develop a comprehensive plan to implement the requirements for the establishment of restorative practices schools, eventually encompassing every school in the State. In accordance with the comprehensive plan, each public school must appoint a restorative practices coach as specified. The bill also expands the duties of the Maryland Consortium on Coordinated Community Supports (MCCCS) and each local school system’s behavioral health coordinator to include specified elements relating to restorative practices. On or before December 1, 2026, and annually thereafter, MSDE must report to the General Assembly on the implementation of restorative practices schools in the State. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: General fund expenditures increase by \$191,100 in FY 2025 for staffing and information technology costs; out-year costs reflect annualization, inflation, and the termination of one-time costs. MCCCS can likely continue to provide technical assistance and support related to restorative practices as specified with existing resources, as discussed below. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	191,100	109,600	114,500	119,500	124,700
Net Effect	(\$191,100)	(\$109,600)	(\$114,500)	(\$119,500)	(\$124,700)

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

Local Effect: Local school system expenditures increase significantly to appoint restorative practices coaches at each public school in the State, likely beginning in FY 2026, as discussed below. Local school systems may face minimal additional costs to

provide additional training on restorative practices for all school personnel as specified. Finally, local behavioral health coordinators may face meaningful additional workload associated with the bill's requirements. Local revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill defines “restorative practices” as evidence-based classroom and schoolwide strategies designed to strengthen relationships between individuals and build social connections within a community to foster student accountability for behavior. “Restorative practices” include conflict resolution, mediation, peer mediation, circle processes, restorative conferences, social emotional learning, trauma-informed care, positive behavioral intervention supports, and rehabilitation. Under the bill, a “restorative practices school” is a public school that integrates restorative practices into the daily practices and activities of the whole school.

Comprehensive Plan

The comprehensive plan developed by MSDE must consider any input provided by interested stakeholders in the State and contain certain elements, including;

- in conjunction with MCCC, identifying persons qualified to provide initial restorative practices training to restorative practices coaches and school personnel;
- establishing timelines for the completion of training for restorative practices coaches, local school system behavioral health coordinators, and school personnel in 50 schools on or before June 30, 2026, and in all public schools in the State on or before June 30, 2036;
- establishing standards for when a school may be designated a restorative practices school;
- developing the intended outcomes and performance metrics that the use of restorative practices will achieve, as specified; and
- establishing school level and local school system level data collection and reporting standards and requirements, including the disaggregation of reported data by race, ethnicity, gender, and disability status.

Restorative Practices Coaches

The restorative practices coach assigned to each school must (1) be a full-time position that reports directly to the school principal; (2) receive intensive training on effective restorative practices and developing and integrating restorative practices into schoolwide daily practices and activities; (3) coordinate with MSDE, the behavioral health services coordinator for the local school system, and MCCCOS on training for school personnel related to best practices, and updated research regarding restorative practices; (4) in conjunction with the school principal, oversee and monitor the integration of restorative practices into schoolwide daily practices and activities; (5) lead the annual restorative practices training for all school personnel; (6) lead and model restorative practices in the school; and (7) collect school level data and submit any required reports on the performance metrics established in the comprehensive plan.

Behavioral Health Coordinators

Under the bill, the responsibilities of behavioral health coordinators are expanded to include (1) coordinating the development of restorative practices programs for use in schools and the annual training for personnel in restorative practices within the local school system (including the use of training identified by MCCCOS); (2) assisting the restorative practices coach in each restorative practices school with monitoring and improving the integration of a schoolwide restorative practices program into the daily practices and activities of the school; and (3) maximizing funding for restorative practices training under the bill.

Maryland Consortium on Coordinated Community Supports

MCCCOS must provide technical assistance to local school systems to support (1) positive classroom environments *through the use of restorative practices* and (2) the closing of achievement gaps so that all students can succeed. Additionally, MCCCOS must create a list of training programs for school personnel to implement schoolwide restorative practices designed to strengthen and improve the school climate. Finally, MCCCOS must monitor and disseminate updated research regarding the most effective restorative practices and best practices on implementation and training.

Current Law:

Discipline Guidelines

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 practices 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.

Behavioral Health in Public Schools – Maryland Consortium on Coordinated Community Supports

With the assistance of the local health department (LHD), each local board of education must provide adequate school health services, instruction in health education, and a healthful school environment. MSDE and the Maryland Department of Health (MDH) must jointly develop public standards and guidelines for school health programs and assist local boards of education and LHDs in their implementation.

Chapter 36 of 2021, The Blueprint for Maryland’s Future, established MCCCCS within the Maryland Community Health Resources Commission. The consortium must complete certain tasks related to the development of coordinated community supports partnerships to meet student behavioral health needs and other related challenges in a holistic, nonstigmatized, and coordinated manner, including developing a statewide framework for the creation of a coordinated community supports partnership, implementing a related grant program, evaluating a payment reimbursement program for providers, and developing a program for uninsured students. In addition, in consultation with MSDE, the consortium must develop best practices for the creation of a positive classroom for all students. The Blueprint also expanded funding for school-based health centers and for local school systems to train school staff to recognize student behavioral health issues and required local boards of education to enhance and expand the availability of behavioral health services to students.

Behavioral Health Coordinators

Under Chapter 30 of 2018, by September 1, 2018, each local school system was required to appoint a mental health services coordinator to coordinate existing mental health services and referral procedures within the local school system. The Blueprint for Maryland’s Future, in Chapter 36, updated this position to be a behavioral health services coordinator who must have at minimum a master’s degree and behavioral health training experience in schools. Chapter 36 also specified that coordinators must (1) coordinate existing behavioral health services and referral procedures for behavioral health services within the local school system, including through a coordinated community supports

partnership; (2) working in collaboration with the LHD, local department of social services, and other local entities that provide behavioral health services, ensure a student who is referred for behavioral health services obtains the necessary services in a timely manner; (3) maximize external funding for behavioral health and wraparound services; (4) provide behavioral health trainings as specified; and (5) develop and implement a standardized screening to identify students with behavioral health services needs using an evidence-based measurement approach.

Community Schools

“Community school” means a public school that establishes a set of strategic partnerships between the school and other community resources that promote student achievement, positive learning conditions, and the well-being of students, families, and the community by providing wraparound services. The Director of Community Schools in MSDE must coordinate professional development for community school coordinators at each community school. A community school coordinator is responsible for completing an assessment of the needs of the students in the school for appropriate wraparound services to enhance the success of all students in the school, and developing an implementation plan based on the assessment, in cooperation with other interested stakeholders. The needs assessment must (1) include an assessment of the physical, behavioral, and mental health needs and wraparound service needs of students, their families, and their communities and (2) be submitted to MSDE and the local school system within one year of receiving a Concentration of Poverty Personnel Grant or within one year of becoming a community school. Local governments are expected to demonstrate support for a community school through meaningful partnerships and support that is supplemental to and does not supplant existing efforts. “Wraparound services” provided by a community school, according to its implementation plan, may involve extended learning time and an extended school year as well as any of a wide range of specified services, supports, and practices.

State Expenditures: MSDE lacks staff to create a comprehensive plan; coordinate its implementation; and manage the ongoing collection, analysis, and reporting of new data related to restorative practices schools. Therefore, general fund expenditures increase by \$191,079 in fiscal 2025, which accounts for a 90-day start-up delay from the bill’s July 1, 2024 effective date. This estimate reflects the cost of hiring one education program specialist to oversee the creation of the guidelines and, once implemented, continue to manage implementation coordination with local school systems and oversee data reporting requirements of the bill. The estimate also includes \$100,000 in contractual costs to create a data system to collect information from local school systems related to the implementation of restorative practices schools. The estimate includes a salary, fringe benefits, one-time start-up costs, contractual costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$83,823
Contractual Services	100,000
Other Operating Expenses	<u>7,256</u>
Total FY 2025 State Expenditures	\$191,079

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

MDH advises that MCCC requires three additional full-time positions to provide technical support to MSDE and local school systems in the development of restorative practices schools. However, the bill assigns MCCC only limited new responsibilities (identifying qualified restorative practices trainers) and does not substantially increase its existing responsibilities. Under current law, MCCC provides technical support to local behavioral health coordinators, and the bill merely expands the scope of that technical assistance to include restorative practices. The bill does not require MCCC to work directly with restorative practices schools. Therefore, the Department of Legislative Services believes that MCCC can likely carry out its responsibilities with existing resources. However, to the extent that local behavioral health coordinators require substantially more support from MCCC as the number of restorative practice schools expands to the entire State, additional staff may be necessary, but they are not required by the bill in the near term.

Local Expenditures: Although exact timing of expenditures will depend on the comprehensive plan developed by MSDE and implementation of the plan at each local school system, local school system expenditures increase to reflect the hiring of a restorative practices coach for each school, as specified. Since the comprehensive plan developed by MSDE must result in timelines that establish restorative practices coaches in 50 schools by June 30, 2026, this analysis assumes MSDE will develop the plan in fiscal 2025 for implementation in fiscal 2026 such that there are 50 schools with restorative practice coaches by the end of that fiscal year.

Total costs to local school systems may be significant as restorative practices coaches must be a full-time position that reports directly to the school principal. For example, Montgomery County Public Schools estimates the cost of hiring such a coach at a public school, including salary and benefits, would be as much as \$85,500. For all 211 schools in Montgomery County, the bill would, therefore, require at least an additional \$18 million in expenditures annually once all schools hire such coordinators. The bill may also place an additional administrative burden on LHDs who employ behavioral health coordinators, as such coordinators have additional responsibilities under the bill. Even so, any effect is likely absorbable with existing resources. Finally, the bill may require meaningful additional administrative effort and potential minimal additional expenditures on the part

of local school systems to ensure that faculty at restorative practices schools receive the annual required training.

Additional Information

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

Designated Cross File: HB 1257 (Delegates Pasteur and Addison) - Ways and Means.

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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