

# HOUSE BILL 1208

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9lr2654

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By: ~~Delegate Washington~~ Delegates Washington, Walker, Smith, Guyton, Cain, Wilkins, Ebersole, Mosby, Turner, Ivey, Palakovich Carr, and Feldmark

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2019

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## CHAPTER \_\_\_\_\_

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:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



## Article - Education

## 7-304.2.

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

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

(C) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

~~(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

~~(3)~~ (3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE SUPERINTENDENT'S DESIGNEE;

~~(4) THE PRESIDENT OF THE STATE BOARD OF EDUCATION, OR THE PRESIDENT'S DESIGNEE;~~

~~(5)~~ (2) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S DESIGNEE;

~~(6) THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, OR THE PRESIDENT'S DESIGNEE;~~

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

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

~~(9)~~ (3) THE DIRECTOR OF THE MARYLAND EQUITY PROJECT AT THE UNIVERSITY OF MARYLAND COLLEGE OF EDUCATION, OR THE DIRECTOR'S DESIGNEE;

~~(10)~~ (4) THE DIRECTOR OF THE CENTER FOR DISPUTE RESOLUTION AT THE UNIVERSITY OF MARYLAND SCHOOL OF LAW, OR THE DIRECTOR'S DESIGNEE;

1 ~~(11) THE DIRECTOR OF THE POSITIVE SCHOOLS CENTER AT THE~~  
2 ~~UNIVERSITY OF MARYLAND SCHOOL OF SOCIAL WORK, OR THE DIRECTOR'S~~  
3 ~~DESIGNEE;~~

4 ~~(12) THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE~~  
5 ~~AMERICAN CIVIL LIBERTIES UNION OF MARYLAND, OR THE PRESIDENT'S~~  
6 ~~DESIGNEE;~~

7 ~~(13) THE MARYLAND PUBLIC DEFENDER, OR THE MARYLAND PUBLIC~~  
8 ~~DEFENDER'S DESIGNEE;~~

9 ~~(14) THE EXECUTIVE DIRECTOR OF THE ADVOCATES FOR CHILDREN~~  
10 ~~AND YOUTH, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;~~

11 ~~(15) THE EXECUTIVE DIRECTOR OF COMMUNITY MEDIATION~~  
12 ~~MARYLAND, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;~~

13 ~~(16) THE EXECUTIVE DIRECTOR OF RESTORATIVE RESPONSE~~  
14 ~~BALTIMORE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;~~

15 ~~(17) THE EXECUTIVE DIRECTOR OF THE ARC MARYLAND, OR THE~~  
16 ~~EXECUTIVE DIRECTOR'S DESIGNEE;~~

17 ~~(18) ONE REPRESENTATIVE OF THE YOUTH LEADERSHIP AND~~  
18 ~~ADVOCACY NETWORK AT THE JOHNS HOPKINS BLOOMBERG SCHOOL OF PUBLIC~~  
19 ~~HEALTH, SELECTED BY THE YOUTH LEADERSHIP AND ADVOCACY NETWORK;~~

20 ~~(19) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF~~  
21 ~~SCHOOL RESOURCE OFFICERS, SELECTED BY THE PRESIDENT OF THE EXECUTIVE~~  
22 ~~BOARD OF THE MARYLAND ASSOCIATION OF SCHOOL RESOURCE OFFICERS;~~

23 (5) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF  
24 BOARDS OF EDUCATION, SELECTED BY THE PRESIDENT OF THE MARYLAND  
25 ASSOCIATION OF BOARDS OF EDUCATION;

26 (6) ONE REPRESENTATIVE OF THE MARYLAND STATE EDUCATION  
27 ASSOCIATION, SELECTED BY THE PRESIDENT OF THE MARYLAND STATE  
28 EDUCATION ASSOCIATION;

29 (7) ONE REPRESENTATIVE OF THE PUBLIC SCHOOLS  
30 SUPERINTENDENTS ASSOCIATION OF MARYLAND, SELECTED BY THE EXECUTIVE  
31 DIRECTOR OF THE PUBLIC SCHOOL SUPERINTENDENTS ASSOCIATION OF  
32 MARYLAND;

1           **(8) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF**  
 2 **STUDENT COUNCILS, SELECTED BY THE PRESIDENT OF THE MARYLAND**  
 3 **ASSOCIATION OF STUDENT COUNCILS;**

4           **(9) ONE REPRESENTATIVE OF THE MARYLAND OFFICE OF THE**  
 5 **PUBLIC DEFENDER, SELECTED BY THE MARYLAND PUBLIC DEFENDER;**

6           **(10) ONE REPRESENTATIVE OF COMMUNITY MEDIATION MARYLAND,**  
 7 **SELECTED BY THE EXECUTIVE DIRECTOR OF COMMUNITY MEDIATION MARYLAND;**

8           **(11) ONE PARENT OF A STUDENT WITH DISABILITIES, SELECTED BY**  
 9 **THE EXECUTIVE DIRECTOR OF THE ARC MARYLAND; AND**

10           **(12) ~~(20)~~ ONE REPRESENTATIVE OF THE MARYLAND PTA, SELECTED**  
 11 **BY THE PRESIDENT OF THE MARYLAND ~~PTA;~~ PTA.**

12           ~~**(21) ONE TEACHER IN A MARYLAND PUBLIC SCHOOL THAT USES**~~  
 13 ~~**RESTORATIVE PRACTICES, SELECTED BY THE STATE SUPERINTENDENT OF**~~  
 14 ~~**SCHOOLS; AND**~~

15           ~~**(22) ONE PRINCIPAL OF A MARYLAND PUBLIC SCHOOL THAT USES**~~  
 16 ~~**RESTORATIVE PRACTICES, SELECTED BY THE STATE SUPERINTENDENT OF**~~  
 17 ~~**SCHOOLS.**~~

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

21           **(E) (1) THE DIRECTOR OF THE ~~CENTER FOR DISPUTE RESOLUTION~~**  
 22 **MARYLAND EQUITY PROJECT AT THE UNIVERSITY OF MARYLAND ~~SCHOOL OF LAW~~**  
 23 **COLLEGE OF EDUCATION, OR THE DIRECTOR'S DESIGNEE, IS THE CHAIR OF THE**  
 24 **BOARD.**

25           **(2) THE ~~CENTER FOR DISPUTE RESOLUTION~~ MARYLAND EQUITY**  
 26 **PROJECT AT THE UNIVERSITY OF MARYLAND ~~SCHOOL OF LAW~~ COLLEGE OF**  
 27 **EDUCATION SHALL PROVIDE STAFF FOR THE BOARD.**

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

29           **(2) THE TERMS OF THE SELECTED MEMBERS OF THE BOARD ARE**  
 30 **STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD**  
 31 **ON JULY 1, 2019.**

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

1 (I) IS ELIGIBLE FOR RESELECTION; AND

2 (II) CONTINUES TO SERVE UNTIL A SUCCESSOR IS SELECTED  
3 AND QUALIFIES.

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

7 (G) (1) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE BOARD  
8 IS A QUORUM.

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

11 (3) A MEMBER OF THE BOARD:

12 (I) MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE  
13 BOARD; BUT

14 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER  
15 THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
16 BUDGET.

17 (H) THE BOARD SHALL:

18 (1) STUDY AND ANALYZE THE CURRENT DISCIPLINARY PRACTICES  
19 AND POLICIES IN MARYLAND PUBLIC SCHOOLS;

20 (2) MONITOR IMPLEMENTATION OF RESTORATIVE PRACTICES IN  
21 MARYLAND PUBLIC SCHOOLS;

22 (3) STUDY AND ANALYZE THE INFORMATION COLLECTED UNDER §  
23 7-306 OF THIS SUBTITLE; AND

24 (4) PREPARE LEGISLATIVE AND BUDGETARY RECOMMENDATIONS  
25 FOR FUTURE DATA-DRIVEN AND FISCALLY SOUND POLICIES THAT:

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

27 (II) INCORPORATE RESTORATIVE PRACTICES IN SCHOOL  
28 DISCIPLINE PRACTICES.

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

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

- 6                   (1) one member in 2020;
- 7                   (2) two members in 2021; and
- 8                   (3) two members in 2022.

9           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.