

Department of Legislative Services  
 Maryland General Assembly  
 2019 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

Senate Bill 766

(Senator Smith)

Education, Health, and Environmental Affairs

Rules and Executive Nominations

Public Schools - Student Discipline - Restorative Approaches

This bill requires local school board regulations related to discipline to provide for restorative practices and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. On request, the State Board of Education must provide technical assistance and training to local boards regarding the use of restorative approaches. The Maryland State Department of Education (MSDE) must annually submit to the Governor and the General Assembly a specified student discipline data report. MSDE must also disaggregate the information in any student discipline data report prepared by the department by type of discipline. **The bill takes effect July 1, 2019.**

Fiscal Summary

**State Effect:** General fund expenditures increase for MSDE to provide training and technical assistance to local school systems.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	59,500	72,800	75,200	77,800	80,500
Net Effect	(\$59,500)	(\$72,800)	(\$75,200)	(\$77,800)	(\$80,500)

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

**Local Effect:** Beginning in FY 2020, local school system training and personnel costs increase to the extent that adoption, implementation, and continued use of restorative approaches is not consistent with current practice. Local revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Small businesses that provide training on restorative practices may benefit.

## Analysis

**Bill Summary:** The bill defines “restorative approaches” as 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 school community well-being; (3) in response to behavior that violates clear behavioral expectations, 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.

### **Current Law:**

#### *Restorative Practices*

The school system must remedy the effect of a student’s behavior through appropriate intervention methods including restorative practices. Restorative practices are practices conducted in a whole-school ethos or culture that supports peacemaking and solves conflict by building a community and addressing harm in a school setting and that:

- are conducted by trained staff;
- focus on repairing the harm to the community through dialogue that emphasizes individual accountability; and
- help build a sense of belonging, safety, and social responsibility in the school community.

#### *Student Discipline Data Reports*

MSDE must disaggregate the information in any student discipline data report prepared by the department by race, ethnicity, gender, disability status, eligibility for free or reduced-price meals or an equivalent measure of socioeconomic status, and English language proficiency for the State; each local school system; and each public school.

**State Expenditures:** To provide technical assistance and training upon the request of local school systems and to assist in reporting required data, MSDE will require one education program specialist. The fiscal estimate includes salary, fringe benefits, one-time start-up costs, and ongoing operating expenses and assumes that the position will be filled by October 1, 2019.

Position	1.0
Salary and Fringe Benefits	\$54,121
One-time Start-up Costs	4,890
Operating Expenses	<u>469</u>
<b>Total FY 2020 State Expenditures</b>	<b>\$59,480</b>

Future year expenditures reflect annualization, full salaries with annual increases and employee turnover, elimination of one-time costs, and ongoing operating expenses.

**Local Expenditures:** Local school systems that currently employ restorative approaches as a core component of student discipline will not be substantially impacted. Anne Arundel County Public Schools, Montgomery County Public Schools, and Prince George’s County Public Schools (PGCPS) advise that existing resources will be sufficient for implementing the bill. The PGCPS student discipline policy includes five of the nine types of restorative approaches that a local school system may use to meet the bill’s requirements.

However, to the extent that local school systems do not use restorative approaches as specified by the bill, local expenditures increase, beginning in fiscal 2020.

### Additional Information

**Prior Introductions:** None.

**Cross File:** HB 725 (Delegate Charkoudian, *et al.*) - Ways and Means.

**Information Source(s):** Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George’s County Public Schools; Maryland Association of Counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2019  
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