

# HOUSE BILL 202

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HB 1229/19 – W&M

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By: **Delegates Cain, Feldmark, Guyton, Mosby, Smith, and Wilkins**

Introduced and read first time: January 16, 2020

Assigned to: Ways and Means

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## 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 specifying the purpose for which the Fund may be used; specifying the purpose for  
8 which certain grants may be used; requiring the Department, under certain  
9 circumstances, to develop processes and procedures for a local school system or an  
10 individual school to apply for a certain grant and for awarding the grant; providing  
11 for the investment of money in and expenditures from the Fund; requiring interest  
12 earnings of the Fund to be credited to the Fund; providing that a distribution from  
13 the Fund is supplemental to and is not intended to take the place of certain funding;  
14 exempting the Fund from a certain provision of law requiring interest earnings on  
15 State money to accrue to the General Fund of the State; defining a certain term; and  
16 generally relating to the Restorative Schools Fund and grants to develop and support  
17 restorative approaches in local school systems and schools.

18 BY adding to

19 Article – Education

20 Section 7–304.2

21 Annotated Code of Maryland

22 (2018 Replacement Volume and 2019 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – State Finance and Procurement

25 Section 6–226(a)(2)(i)

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2019 Supplement)

28 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement  
2 Section 6–226(a)(2)(ii)121. and 122.  
3 Annotated Code of Maryland  
4 (2015 Replacement Volume and 2019 Supplement)

5 BY adding to  
6 Article – State Finance and Procurement  
7 Section 6–226(a)(2)(ii)123.  
8 Annotated Code of Maryland  
9 (2015 Replacement Volume and 2019 Supplement)

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

12 **Article – Education**

13 **7–304.2.**

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

15 (B) THERE IS A RESTORATIVE SCHOOLS FUND.

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

20 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

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

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

25 (F) THE FUND CONSISTS OF:

26 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

27 (2) INTEREST EARNINGS OF THE FUND; AND

28 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR  
29 THE BENEFIT OF THE FUND.

30 (G) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO LOCAL SCHOOL

1 SYSTEMS AND INDIVIDUAL SCHOOLS FOR TRAINING ON AND IMPLEMENTATION AND  
2 EVALUATION OF RESTORATIVE APPROACHES THAT BUILD AND SUSTAIN POSITIVE  
3 LEARNING COMMUNITIES.

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

6 (I) SUPPORTING SYSTEM-LEVEL STAFF IN THEIR WORK  
7 PROVIDING TECHNICAL ASSISTANCE AND SUPPORT TO SCHOOLS THAT IMPLEMENT  
8 RESTORATIVE APPROACHES;

9 (II) ESTABLISHING TEACHER AND ADMINISTRATIVE  
10 LEADERSHIP TRACKS THAT PROMOTE COMPETENCY IN RESTORATIVE APPROACHES;

11 (III) CONDUCTING ANNUAL SYSTEMWIDE TRAINING ON  
12 RESTORATIVE APPROACHES FOR ALL SCHOOL PERSONNEL WHO INTERACT WITH  
13 CHILDREN, INCLUDING TEACHERS, ADMINISTRATORS, SCHOOL RESOURCE  
14 OFFICERS, CAFETERIA WORKERS, OFFICE STAFF, AIDES, AND VOLUNTEERS;

15 (IV) SUPPORTING THE DEVELOPMENT OF LOCAL  
16 PRACTITIONERS WITHIN LOCAL SCHOOL SYSTEMS AND INDIVIDUAL SCHOOLS WHO  
17 ARE QUALIFIED TO OFFER TRAINING IN RESTORATIVE APPROACHES;

18 (V) GATHERING AND ANALYZING SCHOOL DISCIPLINE DATA  
19 AND CONDUCTING A ROOT CAUSE ANALYSIS;

20 (VI) ASSISTING SCHOOLS WITH ANALYZING THE RELATIONSHIPS  
21 BETWEEN STUDENT BEHAVIOR AND DISCIPLINARY CONSEQUENCES;

22 (VII) DEVELOPING INCENTIVES FOR SCHOOLS TO IMPROVE  
23 THEIR STUDENT OUTCOMES;

24 (VIII) IDENTIFYING ADDITIONAL FUNDING SOURCES THAT  
25 SCHOOLS CAN USE FOR TRAINING, COACHING, AND MENTORING IN RESTORATIVE  
26 APPROACHES;

27 (IX) OVERSEEING SCHOOL-LEVEL PLANS THAT PROMOTE  
28 RESTORATIVE APPROACHES FOR POSITIVE SCHOOL CLIMATE AND DISCIPLINE;

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

31 (XI) ADDRESSING DISPROPORTIONATE APPLICATION OF  
32 DISCIPLINE;

1 (XII) PROMOTING RACIALLY EQUITABLE PRACTICES;

2 (XIII) DEVELOPING COMMUNITY PARTNERSHIPS THAT SUPPORT  
3 RESTORATIVE APPROACHES; AND

4 (XIV) PROMOTING STUDENT AND FAMILY ENGAGEMENT IN  
5 RESTORATIVE APPROACHES.

6 (2) IF THE GOVERNOR MAKES AN APPROPRIATION IN THE ANNUAL  
7 STATE BUDGET TO THE FUND, THE DEPARTMENT SHALL DEVELOP PROCESSES AND  
8 PROCEDURES FOR:

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

11 (II) AWARDING A GRANT UNDER THIS SECTION.

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

14 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO  
15 THE FUND.

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

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

23 **Article – State Finance and Procurement**

24 6–226.

25 (a) (2) (i) Notwithstanding any other provision of law, and unless  
26 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
27 terms of a gift or settlement agreement, net interest on all State money allocated by the  
28 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
29 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
30 Fund of the State.

31 (ii) The provisions of subparagraph (i) of this paragraph do not apply

1 to the following funds:

2                                   121. the Markell Hendricks Youth Crime Prevention and  
3 Diversion Parole Fund; [and]

4                                   122. the Federal Government Shutdown Employee Assistance  
5 Loan Fund; AND

6                                   **123. THE RESTORATIVE SCHOOLS FUND.**

7                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2020.